



Planning Commission Agenda

Meeting of June 1, 2015
Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

Welcome to the Planning Commission meeting. The National City Planning Commission conducts its meeting in the interest of community benefit. Your participation is helpful. These proceedings are video recorded.

Roll Call

Pledge of Allegiance by Commissioner Yamane

Approval of Minutes

1. Approval of Minutes of the Meeting held on May 4, 2015.

Approval of Agenda

2. Approval of Agenda for the Meeting on June 1, 2015.

ORAL COMMUNICATIONS (3 MINUTE TIME LIMIT).

NOTE: Under State law, items requiring Commission action must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature.



The Planning Commission requests that all cellphones, pagers, and/or smart devices be turned off during the meeting.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the Planning Department at (619) 336-4310 to request a disability-related modification or accommodation. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

PRESENTATIONS

PUBLIC HEARINGS

3. Zone Variance for a reduced rear yard setback related to a residential addition at 1624 South Lanoitan Avenue. (Case File No. 2015-11 Z)
4. Resolution 2015-08 taking action on a Zone Variance for a reduced rear yard setback related to a residential addition at 1624 South Lanoitan Avenue. (Case File No. 2015-11 Z)
5. Conditional Use Permit for a Boarding House to be located at 313 South Kenton Street. (Case File No. 2015-03 CUP)
6. Resolution 2015-09 taking action on a Conditional Use Permit for a Boarding House to be located at 313 South Kenton Street. (Case File No. 2015-03 CUP)
7. Conditional Use Permit for a drive-through fast food restaurant to be located at 401 Mile of Cars Way. (Case File No. 2015-01 CUP)
8. Resolution 2015-10 taking action on a Conditional Use Permit for a drive-through fast food restaurant to be located at 401 Mile of Cars Way. (Case File No. 2015-01 CUP)
9. Conditional Use Permit for San Diego County Administrative Offices and Support Services to be located at 401 Mile of Cars Way. (Case File No. 2015-10 CUP)
10. Resolution 2015-11 taking action on a Conditional Use Permit for San Diego County Administrative Offices and Support Services to be located at 401 Mile of Cars Way. (Case File No. 2015-10 CUP)

OTHER BUSINESS

11. Discussion regarding Planning Commission summer recess.

STAFF REPORTS

Deputy City Attorney

Executive Director

Principal Planners

Commissioners

Chairperson

ADJOURNMENT

Adjournment to next regularly scheduled meeting on June 15, 2015



Planning Commission Minutes

Meeting of May 4, 2015

Planning Commission Meeting
City Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

These minutes have been abbreviated. Video recordings of the full proceedings are on file and available to the public.

Agenda Items

The meeting was called to order by Chair Bush at 6:01 p.m.

Roll Call

Commissioners Present: Alvarado, Baca, Bush, Flores, Yamane. Absent: DelaPaz, Garcia.

Staff Also Present: Jennifer Knight, Deputy City Attorney; Brad Raulston, Executive Director; Martin Reeder, Principal Planner; Raymond Pe, Principal Planner; Steve Manganiello, Director of Engineering and Public Works; Mike Dalla, City Clerk.

Pledge of Allegiance Presented by Commissioner Flores

Approval of Minutes

1. Approval of Minutes.

Motion by Baca, 2nd by Alvarado to approve the Minutes for the Regular Meeting held on March 16, 2015.

Motion carried by the following vote:

Ayes: Baca, Pruitt, Bush, Flores, Alvarado

Abstain: Yamane

Absent: DelaPaz, Garcia

Approval of Agenda

2. Approval of Agenda.

Motion by Flores, 2nd by Baca to approve the Agenda for the meeting of May 4, 2015.

Motion carried by the following vote:

Ayes: Baca, Pruitt, Bush, Flores, Alvarado, Yamane

Absent: DelaPaz, Garcia

ORAL COMMUNICATION

None

PRESENTATIONS

Note: Commissioner Garcia arrived at 6:07 p.m.

PUBLIC HEARINGS

3. An Amendment to Title 18 (Zoning) Chapter 18.47 of the National City Municipal Code pertaining to Signs and Outdoor Advertising Displays. (Case File No. 2015-07 A).

Presentation on “”Sign Law 101” by Randal Morrison, consultant for City.

Commissioners asked questions regarding utility poles, election signage, free speech, amortization.

1st Motion by Garcia, 2nd by Yamane to close the public hearing.

2nd Motion by Bush to continue the item to the next meeting for further time to review. Motion died for lack of a second.

1st Motion carried by the following vote:

Ayes: Alvarado, Baca, Flores, Garcia

Nays: Bush

Absent: DelaPaz

4. Resolution 2015-07 taking action on an Amendment to Title 18 (Zoning) Chapter 18.47 of the National City Municipal Code pertaining to Signs and Outdoor Advertising Displays. (Case File No. 2015-07 A).

Motion by Baca, 2nd by Alvarado to approve Resolution 2015-07 taking action on an Amendment to Title 18 (Zoning) Chapter 18.47 of the National City Municipal Code pertaining to Signs and Outdoor Advertising Displays. (Case File No. 2015-07 A).

Motion carried by the following vote:
Ayes: Alvarado, Baca, Flores, Yamane
Nays: Bush, Garcia
Absent: DelaPaz

OTHER BUSINESS

Commissioner Baca recused himself due to a potential financial conflict of interest and left the chambers.

5. Request to Initiate a General Plan Amendment and Zone Change for a property located at 2443 "N" Avenue to change the zoning from RS-1 to I (Case File No. 2015-06 GPA, ZC).

Commissioners asked questions regarding property taxes, existing garage, parking lot design, parking, next steps in hearing process, effects on neighborhood, future park expansion.

Speakers: Anne McEnany – International Community Foundation. Spoke in support.
Healy Vigderson – Olivewood Gardens and Learning Center. Spoke in support.

Motion by Garcia, 2nd by Yamane to initiate a General Plan Amendment and Zone Change for a property located at 2443 "N" Avenue to change the zoning from RS-1 to I (Case File No. 2015-06 GPA, ZC).

Motion carried by the following vote:
Ayes: Alvarado, Bush, Garcia, Yamane
Nays: Flores
Abstain: Baca
Absent: DelaPaz

Commissioner Baca returned to the dais.

6. Capital Improvement Program (CIP) General Plan Consistency Review

Commissioners asked questions regarding Wi-Fi, CIP project updates, funding, other projects, wayfinding signage, bike racks, fig tree at Olivewood Gardens, City pool.

Motion by Garcia, 2nd by Baca to find that the Capital Improvement Program (CIP) is consistent with the General Plan.

Motion carried by the following vote:
Ayes: Alvarado, Baca, Bush, Flores, Garcia, Yamane
Absent: DelaPaz
Nays: None

STAFF REPORTS

Deputy City Attorney – No report.

Executive Director – Budget workshop. 8th Street event.

Principal Planner – No report.

City Engineer – No report.

Commissioners:

Garcia – Welcome Commissioner Yamane; Chamber rep. at future meeting.

Yamane – No report.

Flores – Absent May 18, 2015; KFC status? (30th & Highland); bowling alley demo; meeting in July?

Bush – 8 on C project; dark schedule; welcome Commissioner Yamane; ped/bike safety; SANDAG transportation plan workshops.

Baca: Welcome Commissioner Yamane; Feliz Cinco de Mayo!.

Alvarado: Bowling alley demo.

Adjournment at 8:43 p.m. in memory of Gary Dines to next meeting scheduled for May 18, 2015 at 6:00 pm.

CHAIRPERSON



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING - ZONE VARIANCE FOR A
REDUCED REAR YARD SETBACK RELATED TO A
RESIDENTIAL ADDITION AT 1624 SOUTH
LANOITAN AVENUE.

Case File No.: 2015-11 Z

Location: West side of Lanoitan Avenue south of 16th Street

Assessor's Parcel No.: 558-200-34

Staff Report By: Martin Reeder, AICP – Principal Planner

Applicant: Sergio Flores

Owner: Silvia Sotelo

Zoning Designation: RS-2

Adjacent Land Use/Zoning:

North: Residential Use / RS-2

East: Residential Use across Lanoitan Ave. / RS-2

South: Residential Use / MXC-1 (Minor Mixed-Use Corridor)

West: Residential Use / RS-2

Environmental Review: Categorically Exempt pursuant to 32 Section 15332
(In-Fill Development)

Staff Recommendation: Approve

BACKGROUND

History

An identical request for a Zone Variance was submitted in 2013 and was approved by the Planning Commission on March 4, 2013. Although approved, the permit was never exercised and was deemed null and void after a period of 12 months according to Section 18.12.040 of the National City Municipal Code. The applicant is reapplying for the same requested Zone Variance as in the previous request.

Site Characteristics

The 5,662 square-foot lot is located on the west side of South Lanoitan Avenue, south of East 16th Street in the RS-2 (small lot residential) zone. The property is roughly 80 feet square and developed with a 1,061 square-foot two-bedroom house and a 423 square-foot garage.

The existing house is built at or close to the front and rear setbacks – 20 and 25 feet respectively – and has a six-foot side setback on the south side of the lot. The north side yard setback is 14 feet due to a slope and retaining wall in this location. The lot to the north is approximately 10 feet higher than the subject property. An embankment slopes down from 10 feet to 6 feet above the pad level of the subject home over a distance of approximately 13 feet, terminating in a six-foot high retaining wall. The existing home is about a foot from the wall.

There is an existing 20-foot wide utility right-of-way easement along the western property line. According to the Sweetwater Authority, who the easement is granted to, there is no water main or infrastructure in this location.

Proposed Use

The applicant proposes to construct a 419 square-foot addition to a single-family residence that encroaches approximately 14 feet into the required 25-foot rear yard setback. The applicant is requesting a variance from the required rear yard setback requirement. The addition would provide a third bedroom and another bathroom. The proposed location of the addition would include the area occupied by the Sweetwater Authority easement.

Analysis

The Land Use Code (LUC) requires that a 25-foot setback be maintained from rear property lines adjoining a property developed with residential use. Standard lots in the RS-2 zone are usually around 50 feet wide by 100 feet deep, which does not pose a problem with maintaining a 25-foot setback. However, as the subject property is as deep as it is wide, and that distance is only 80 feet, the home cannot be expanded to the rear without encroaching into the setback. Furthermore, the embankment and retaining wall on the north side further restrict development potential.

Three specific findings must be made in order to approve a Zone Variance request. The first is that the lot is affected by special circumstances, including size, shape, or topography, that deprive the lot of the ability to develop per the LUC as others in the area have. In this case the property is shallow in depth, which restricts the normal buildable area afforded standard-shaped lots. In addition, the north side of the lot is restricted by the retaining wall and embankment sloping down from the neighboring property.

The second finding is that granting of the Variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. In this case there are multiple properties in the same neighborhood in the same zone which have less than the required rear yard setback. The development to the west on Morning Breeze Lane is a good example; the majority of the homes in this subdivision have a less than required rear yard setback.

The third finding is that the Variance does not authorize a use that is not otherwise allowed in the zone. In this case a single-family home is an allowed use in any residential zone. The resultant size of the home would be 1,480 square feet if the Variance were approved. This would be within the allowances of the LUC for a home in the RS-2 zone and would continue to meet floor area ratio and maximum size requirements.

Conditions of Approval

Comments were originally received from the Building and Engineering Departments related to code requirements and drainage. Sweetwater Authority also commented and required a quitclaim of the easement at the rear of the property should the property ever be redeveloped. There is also a condition related to Planning that requires compliance with the City's design guidelines.

Summary

Because of special circumstances applicable to the property, including the topography of the area and its shallow depth, there is no room to construct an addition without encroaching into the required rear yard setback. Although the lot is wider than most, the existing home is only moderate in size and the applicant wishes to expand their residence to provide addition space for their family. Granting of the Variance would not be a privilege inconsistent with other properties in the area as there are multiple homes in excess of 1,061 square feet in size. The proposal is consistent with all required findings of approval and would be consistent with all other regulations.

OPTIONS

1. Approve 2015-11 Z subject to the conditions listed below, based on attached findings; or
2. Deny 2015-11 Z based on findings to be determined by the Planning Commission; or
3. Continue the item to a specific date in order to obtain additional information.

ATTACHMENTS

1. Recommended Findings for Approval
2. Recommended Conditions
3. Location Map
4. Notice of Exemption
5. Public Hearing Notice (Sent to 37 property owners)
6. Site Photos
7. Applicant's Plans (Exhibit A, case file no. 2015-11 CUP, dated 5/12/2015)



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Executive Director

RECOMMENDED FINDINGS FOR APPROVAL

2015-11 Z, 1624 Lanoitan Avenue

1. Because of special circumstances applicable to the property, including size, shape, or topography, the strict application of Title 18 of the Municipal Code (Zoning) deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zone classification, since the property is shallow in depth, which restricts the normal buildable area afforded to standard-shaped lots, and since the north side of the lot is restricted by a retaining wall due to an embankment sloping down into the property.
2. The requested Variance is subject to such conditions which will assure that the adjustment authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, since there are multiple properties in the same neighborhood in the same zone which have less than the required rear yard setback.
3. The Variance does not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property, since a single-family residence is an allowed use in the underlying residential zone (RS-2).

RECOMMENDED CONDITIONS OF APPROVAL

2015-11 Z, 1624 Lanoitan Avenue

General

1. This Zone Variance authorizes a single-family residential addition with less than the required rear yard setback at 1624 Lanoitan Avenue. Plans submitted for approvals shall show the location of the addition in substantial conformance with Exhibit A, Case File No. 2015-11 CUP, dated 5/12/2015.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.
4. Before this Zone Variance shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Zone Variance.** The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Zone Variance are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.

Building

5. Any plans submitted for improvements must comply with the current editions of the California Building Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, and California Title 24 energy and handicapped regulations.

Engineering

6. A drainage plan shall be submitted showing all of the proposed and existing conditions.
7. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Division.
8. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a

Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.

9. An existing 20-foot wide right-of-way easement reserved by Sweetwater Authority is located along the westerly 20 feet of the property. The easement shall be shown on plans and permission must be granted by Sweetwater Authority for construction within the easement.
10. A title report shall be submitted to the Engineering Division, after Planning Commission approval for review of all existing easements and ownership of the property.

Fire

11. Any plans submitted for improvements must comply with the current editions of the California Building Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, and California Title 24 energy and handicapped regulations.

Planning

12. Plans submitted for building permits must meet appropriate design guidelines as specified by the Land Use Code, including a matching pitch roof and matching construction materials.

Sweetwater Authority

13. In the event that the property is ever redeveloped, the existing 20-foot Sweetwater Authority right-of-way easement shall be quitclaimed through the standard [Sweetwater] Authority process.

1624 S. LANOITAN AVE



Parcel ID	5582003400	Doc Type	1
Address	1624 S. LANOITAN AVE	Doc Number	185729
Owner	HERNANDEZ JOSE D&SOTELO SILVIA	Doc Date	030705
Owner Address	1987 MOSS LANDING AVE	Acreage	0
Legal Desc	PAR 2\		
Subdivision	PARCEL MAP NO 06285		
Assessor Value	\$118,316		

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey or zoning verification.

1 inch = 80 feet
5/28/2015



NOTICE OF EXEMPTION

TO: County Clerk
County of San Diego
P.O. Box 1750
1600 Pacific Highway, Room 260
San Diego, CA 92112

Project Title: 2015-11 Z

Project Location: 1624 S. Lanoitan Avenue, National City, CA 91950

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Zone Variance application for a less than required rear yard setback related to an addition to an existing single-family residence.

Applicant:

Silvia Sotelo
1624 S. Lanoitan Avenue
National City, CA 91950

Telephone Number:

(619) 838-1716

Exempt Status:

☒ **Categorical Exemption. Class 1 Section 15332 (In-Fill Development)**

Reasons why project is exempt:

It can be seen with certainty that the project will not have a significant effect on the environment, since the project involves a small addition to an existing residence within a fully urbanized residential area. Other homes in the area have the same setbacks. No habitat exists in the setback area in which the addition is proposed.

Date:

MARTIN REEDER, AICP
Principal Planner



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

ZONE VARIANCE FOR A REDUCED REAR YARD SETBACK
RELATED TO A RESIDENTIAL ADDITION AT 1624 LANOITAN AVENUE.
CASE FILE NO.: 2015-11 Z
APN: 558-200-34

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, June 1, 2015**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Sergio Flores)

The applicant proposes to construct an addition to a single-family residence that encroaches approximately 14 feet into the required 25-foot rear yard setback. This is an identical request to one from 2013. The previous permit has since expired.

Information is available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 12:00 p.m., **June 1, 2015**, who can be contacted at 619-336-4310 or planning@nationalcityca.gov

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING

BRAD RAULSTON
Executive Director

2015-11 Z – 1624 S. Lanoitan Ave. – Site Photos



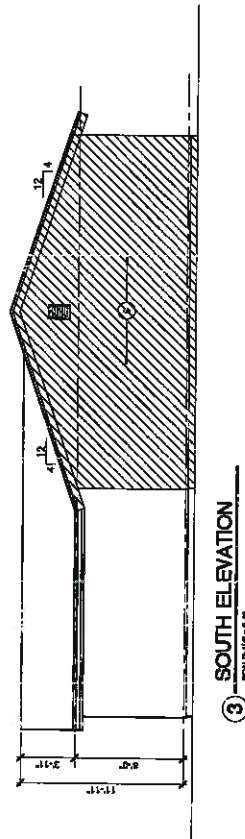
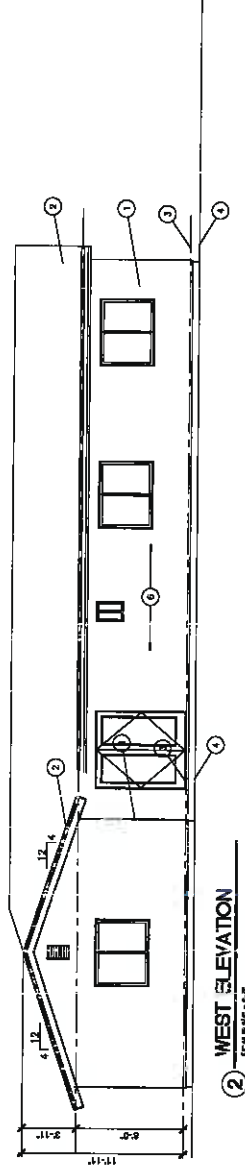
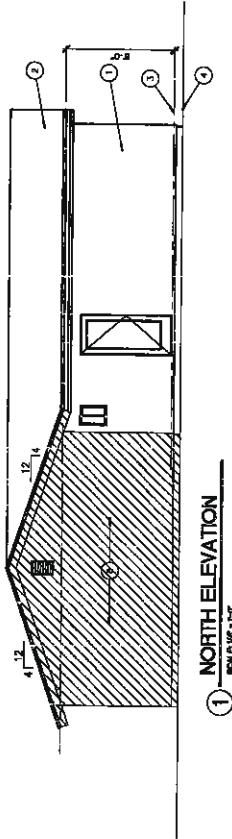
Front of existing house looking west



Existing retaining wall to north of property looking northwest

KEY NOTES

- 1 7/8" STUCCO FINISH TO MATCH EXISTING COLOR AND TEXTURE BY OWNER.
- 2 NEW CLASS "A" ASPHALT SHINGLES ROOF UNDERLAYMENT BY OWENS CORNING AND MEET ALL ASTM REQUIREMENTS, ICC ESR-1705.
- 3 FINISH FLOOR
- 4 ATTIC VENT
- 5 FINISH GRADE
- 6 EXISTING ONE STORY DWELLING
- 7 R-13 BATT INSULATION
- 8 R-30 BATT INSULATION
- 9 1/2" DRY WALL
- 10 96" TYPE X DRY WALL
- 11 PRE FABRICATED TRUSSES PER PLAN
- 12 T&J FLOOR SYSTEM PER PLAN



DESIGN OF THE MODERN ERA
PLANNING AND DESIGN

1024 LANDON AVENUE
NATIONAL CITY, CA 92061

DATE: 01/04/16
PROJECT NO.: 2014-001
SHEET NO.: 10/16

SOTELO ADDITION

1024 Landon Avenue
National City, CA

SCALE: 1/8" = 1'-0"

DATE: 01/04/16

PROJECT NO.: 2014-001

SHEET NO.: 10/16

A3.1

All dimensions and notes are the property of DCM, Inc. Design of the Modern Era may not be used without the written consent of the designer. (Strategic Permit)

RESOLUTION 2015-08

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A ZONE VARIANCE FOR A
REDUCED REAR YARD SETBACK
RELATED TO A RESIDENTIAL ADDITION
AT 1624 SOUTH LANOITAN AVENUE.
APPLICANT: SILVIA SOTELO
CASE FILE NO. 2015-11 Z

WHEREAS, the Planning Commission of the City of National City considered a Zone Variance for a reduced rear yard setback related to a residential addition at 1624 South Lanoitan Avenue at a duly advertised public hearing held on June 1, 2015, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2015-11 Z, which is maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on June 1, 2015, support the following findings:

1. Because of special circumstances applicable to the property, including size, shape, or topography, the strict application of Title 18 of the Municipal Code (Zoning) deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zone classification, since the property is shallow in depth, which restricts the normal buildable area afforded to standard-shaped lots, and since the north side of the lot is restricted by a retaining wall due to an embankment sloping down into the property.
2. The requested Variance is subject to such conditions which will assure that the adjustment authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, since there are multiple properties in the same neighborhood in the same zone which have less than the required rear yard setback.
3. The Variance does not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property, since a single-family residence is an allowed use in the underlying residential zone (RS-2).

BE IT FURTHER RESOLVED that the application for Zone Variance is approved subject to the following conditions:

General

1. This Zone Variance authorizes a single-family residential addition with less than the required rear yard setback at 1624 Lanoitan Avenue. Plans submitted for approvals shall show the location of the addition in substantial conformance with Exhibit A, Case File No. 2015-11 CUP, dated 5/12/2015.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.
3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.
4. Before this Zone Variance shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Zone Variance.** The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Zone Variance are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.

Building

5. Any plans submitted for improvements must comply with the current editions of the California Building Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, and California Title 24 energy and handicapped regulations.

Engineering

6. A drainage plan shall be submitted showing all of the proposed and existing conditions.
7. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Division.
8. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
9. An existing 20-foot wide right-of-way easement reserved by Sweetwater Authority is located along the westerly 20 feet of the property. The easement shall be shown on plans and permission must be granted by Sweetwater Authority for construction within the easement.

10. A title report shall be submitted to the Engineering Division, after Planning Commission approval for review of all existing easements and ownership of the property.

Fire

11. Any plans submitted for improvements must comply with the current editions of the California Building Code, the California Mechanical Code, the California Plumbing Code, the California Electrical Code, and California Title 24 energy and handicapped regulations.

Planning

12. Plans submitted for building permits must meet appropriate design guidelines as specified by the Land Use Code, including a matching pitch roof and matching construction materials.

Sweetwater Authority

13. In the event that the property is ever redeveloped, the existing 20-foot Sweetwater Authority right-of-way easement shall be quitclaimed through the standard [Sweetwater] Authority process.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of June 1, 2015, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR A
SENIOR BOARDING HOUSE AT 313 S. KENTON
AVENUE.

Case File No.: 2015-03 CUP

Location: 313 South Kenton Avenue

Assessor's Parcel No.: 554-095-07

Staff report by: Michael Fellows – Planning Commission

Applicant: Jose A. Perez

Property owner: Vo Chau Trung

Zoning designation: Small Lot Residential (RS-2)

Parcel size: 7,200 Square Feet

Adjacent land use/zoning:

North: Single-family residential / RS-2

East: Single-family residential / RS-2

South: Single-family residential / RS-2

West: Single-family residential / RS-2

Environmental review: Categorically Exempt pursuant to Class 3 Section 15303
(New Construction or Conversion of small structures)

Staff Recommendation: Denial

BACKGROUND

Site Characteristics

The subject property is a 7,200 square-foot interior lot located on the east side of South Kenton Avenue in the Small Lot Residential (RS-2) zone. The property is developed with a 1,230 square-foot, 3-bedroom single-family residence. The residence is currently undergoing construction to add 1,271 square feet to the house, including an additional bedroom and family room. The property has 1 parking space located in the existing garage.

Proposed Use

The applicant proposes to operate a large senior citizen residential care facility for up to 12 paying guests at the single family residence. The facility would house 2 residents per bedroom. The facility would also be staffed with 1-2 caretakers on a 24-hour basis.

The proposal includes construction beyond that described above that would increase the number of bedrooms from 4 to 6, demolition of a portion of the residence and the garage, and the paving of 6 parking spaces in front of the residence.

Analysis

The Land Use Code makes no specific reference to large residential care facilities. Planning Department staff determined that the proposed facility is a rooming and boarding house which is defined as a private residence rented out to more than two paying guests. Rooming and boarding houses are a conditionally permitted use in the RS-2 zone, hence this CUP application.

The California Department of Social Services classifies senior residential care facilities as either small or large facilities. Both types of facilities must be licensed by the Community Care Licensing Division of the Department of Social Services. This Division is responsible for addressing concerns and complaints regarding the facility, staff, and residents.

Small senior residential care facilities accommodate a maximum of six residents. State law (Health and Safety Code 1569.82-87) specifically prohibits cities from defining a small facility as a boarding house and requires that the City treat small facilities as a residential use. Therefore, small facilities are permitted by right in the RS-2 zone. By contrast, the State does not provide such exemptions for large facilities. Large facilities that accommodate seven or more residents (as proposed by this application) are subject to local zoning requirements.

The Land Use Code requires that a rooming and boarding house provide one off-street parking space per guest room. In this case, the six bedroom facility would be required to provide six off-street parking spaces. The applicant proposes to provide six parking

spaces by relocating the front door to the side of the house, removing a portion of the existing residence, the entire garage, and the front porch. These spaces would back into the street which is allowed for a single-family use, but is not allowed for multi-family or institutional uses. The parking spaces shown on the attached site plan are shown as eight feet wide. These spaces are each one foot too narrow, as the Code requires spaces to be nine feet wide. Also, the spaces adjacent to walls are two feet too narrow. The applicant can provide the additional parking area; however, will likely have to remove a greater portion of the house. A condition of approval has been added requiring that the applicant submit a revised site plan that meets City parking standards. The Code requires that the single family houses have a covered parking space. Since the applicant is proposing to remove the garage, a condition has been added requiring the applicant provide one covered parking space. This space may be in either a garage or carport.

The proposed changes described above would be incompatible with the existing residential neighborhood. For example, houses in the neighborhood are oriented towards Kenton Avenue, have front porches facing the street, front yards that are mostly landscaped, and have little paving in the front yard. By contrast the proposed care facility design would relocate the main entrance of the house from the front to the side of the house and remove the front porch. This change would functionally and aesthetically change the front of the house to the side of the house. The six parking spaces in the front yard would require that approximately 56 feet of the front yard be paved, leaving an approximately 9-foot wide strip for landscaping in the front yard. A condition has been added requiring the applicant provide a front door facing the street if this CUP is approved.

The proposed facility is also incompatible as it exceeds the allowable density for the area. The General Plan Land Use Map designates the subject property for Low-Medium Density Residential Development that allows 33 persons per gross acre. The senior care facility proposes 12 residents living on the 7,200 square foot lot. This means the residential care facility is proposed at 73 persons per gross acre exceeding the General Plan's 33 persons per gross acre density allowance.

The impacts from having 12 residents, 2 employees, and an unknown number of visitors to the facility would lead to more activity than a typical residence. This activity combined with relocation of the front door to the side yard of the proposed facility increases the probability of compatibility issues with the neighboring single family residence to the north. The two residences are separated by approximately 15 feet.

Conversely, the approval of the CUP would increase the housing stock for senior citizens that it is consistent with Goal LU-2 of the General Plan, which is to provide a mix of land uses that accommodate the needs of persons from all income groups and age levels.

Landscaping at the site has been damaged due to the construction at the site. A Condition of Approval has been added requiring that the applicant submit a Landscape and Irrigation Plan with building permit plans.

The attached plans, identified as Exhibit A Case File No. 2015-03 CUP, along with the attached Conditions of Approval demonstrate compliance with all provisions of the Land Use Code regarding lot size, setbacks, parking standards, landscaping, and architectural design. Furthermore, the property has proper access from Kenton Avenue and has all adequate utilities (e.g. water, sewer, and electricity) to operate the proposed facility. The Municipal Code regulates noise and other potential nuisances posed by the facility.

The project is in compliance with the California Environmental Quality Act, since the proposed use is categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Small Structures, for which a Notice of Exemption will be filed subsequent to approval.

Policy E-3.2 of the General Plan is to prevent the intrusion of new incompatible land uses into existing residential areas. The project would be incompatible with the existing residential neighborhood for reasons detailed above that include design of the proposed facility, the project exceeding the allowable number of persons per gross acre, the proposed orientation of the facility, and the lack of landscaping and excessive paving in the front yard.

Summary

The proposed large residential care facility, as proposed, is incompatible with the neighborhood, the General Plan, and the Land Use Code for reasons detailed in the staff report. The property is better suited for a small senior residential care facility that is permitted by right in this single family (RS-2) zone even if this CUP is denied. Staff has provided both findings for denial and findings/conditions of approval for the application.

Options

1. Deny 2015-03 CUP based on attached findings/findings to be determined by the Planning Commission; or
2. Continue the item in order to obtain additional information; or
3. Approve 2015-03 CUP subject to the conditions listed below, based on attached findings/findings to be determined by the Planning Commission.

ATTACHMENTS

1. Recommended Findings for Denial
2. Recommended Findings for Approval
3. Recommended Conditions of Approval
4. Location Map
5. Site Photos
6. Public Hearing Notice (Sent to 57 property owners)
7. Notice of Exemption
8. Applicant's Plans (Exhibits A, Case File No. 2015-03 CUP, dated 4/28/15)



MICHAEL FELLOWS
Planning Technician



BRAD RAULSTON
Executive Director

RECOMMENDED FINDINGS FOR DENIAL
2015-03 CUP – 313 S. Kenton Avenue

1. That the proposed use is not consistent with the General Plan and any applicable specific plans, since Policy E-3.2 of the General Plan is to prevent the intrusion of new incompatible land uses into existing residential areas, and the proposed use has been determined to be incompatible with the residential neighborhood for reasons detailed in the staff report, and since no Specific Plans exist in this area.
2. That the design, location, size, and operating characteristics of the proposed activity would not be compatible with the existing and future land uses in the vicinity, since the residential neighborhood is zoned for single-family residential uses and the proposed senior residential care facility is a large facility that has operating characteristics typical of an institutional use. Furthermore, the proposed modifications to the property that include a front door facing the side property line and six parking spaces located in front of the residence are inconsistent with development patterns in the single-family residential neighborhood.
3. That the site is not physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the General Plan Land Use Map designates the property for Low-Medium Density Residential Development that allows 33 persons per gross acre, and the proposal for 73 persons per gross acre far exceeds the General Plan's density allowance.
4. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, since General Plan Land Use Map designates the property for Low-Medium Density Residential Development that allows 33 persons per gross acre, and the proposal for 73 persons per gross acre far exceeds the General Plan's density allowance. The excessive density would be injurious to neighboring residents due to disturbances associated with overconcentration that include the potential for noise and parking issues.

RECOMMENDED FINDINGS FOR APPROVAL
2015-03 CUP – 313 S. Kenton Avenue

1. That the proposed use is allowable within the applicable zoning district pursuant to a conditional use permit and complies with all other applicable provisions of the Land Use Code, since a boarding house is permitted in the RS-2 Zone with the approval of a Conditional Use Permit and since plans identified as Exhibit A Case File No. 2015-03 CUP demonstrate compliance with Land Use Code requirements for the proposed use.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, since Goal LU-2 of the General Plan is to provide a mix of land uses that accommodate the needs of persons from all income groups and age levels, and the proposed facility would mix senior living with single-family living and provide additional housing accommodations for senior citizens, and since Specific Plans do not exist in this area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, since plans identified as Exhibit A Case File No. 2015-03 CUP demonstrate compliance with Code requirements regarding the design, location, and size of the proposed facility and since operating characteristics are including regulated by the Municipal Code and the Department of Social Services, and the facility provides housing accommodations in an area the general plan designates for future Low-Medium Density Residential land uses.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the facility is proposed to be operated in an existing residence on a lot that meets minimum lot size requirements, is accessed from Kenton Avenue, and is served by all necessary utilities for a residential use including water, sewer, and electrical service, and since a site inspection found no physical constraints impacting the proposed facility.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, since potential injurious or detrimental impacts of the facility (e.g. noise) are subject to Municipal Code limitations and complaints regarding the facility, staff, and residents are regulated by the Department of Social Services.

6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 3 Section 15303 (New Construction or Conversion of Small Structures), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

RECOMMENDED CONDITIONS OF APPROVAL

2015-03 CUP – 313 S. Kenton Avenue

General

1. This Conditional Use Permit authorizes the operation of a large senior residential care facility at 313 S. Kenton Avenue. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2015-03 CUP, dated 4/28/15.
2. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Conditional Use Permit. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.
3. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the County Clerk and submitted to the National City Planning Department.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.

Building

5. The proposed project shall be constructed as per the 2013 California Building, Electrical, Plumbing, Mechanical, Energy and Fire Codes.
6. A request for change of occupancy is required.

Fire

7. Project shall be in compliance with current editions of NFPA, CFC, CCR, Title 19, and local City of National City Municipal Codes.
8. Plans are to be design, fabricated, installed, and tested to Code.
9. Care Facility shall be evaluated for possible fire sprinkler and fire alarm requirements.
10. The care facility layout submitted to the County of San Diego for approval must be consistent with approved for Building permit plans and actual site conditions.

Planning

11. The site plan must be revised to provide parking spaces that meet City parking standards, as site plan measurements seem incorrect. This condition may require removal of more of the existing residence to accommodate the required parking spaces.
12. The project must be redesigned to provide a front door facing the street.
13. Building permit plans must include an underground irrigation and landscape plan, designed to meet City standards. The Irrigation and landscaping must be installed prior to final approval of the building permit.
14. The applicant must provide a covered parking space designed to City standards
15. This approval is exclusively for a large senior citizen residential care facility.

Engineering

16. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
17. A National Pollutant Discharge Elimination System (NPDES) permit is required for discharges of storm water runoff associated with construction greater than 1 acre activity where clearing, grading, and excavation results in a land disturbance. A construction stormwater permit shall be obtained from the Regional Water Quality

Control Board. A copy of shall be given to the City of National City Engineering Department prior to any work beginning on the project.

18. The portions of the existing street improvements along the property frontages shall be removed and replaced. Specifically All Sidewalk and Curb and Gutter.
19. The existing street improvements along the property frontage(s) shall be kept free from weed growth by the use of special weed killers, or other approved methods.
20. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
21. Other miscellaneous requirements:
 - a) The existing driveway to be widened and the proposed new driveways shall be constructed in accordance with San Diego Regional Standard Drawings (SDRSD).
 - b) Currently there is use of the wheel tracks along the southerly side of the property without the use of a driveway apron. Blocks have been placed to aide in "curb climbing", which is strictly prohibited in the City of National City. The Owner/Developer shall cease all vehicular access across this portion of the sidewalk until a proper driveway apron has been installed.
 - c) Those areas along the sidewalk in which brick has been installed shall be removed and either landscaped or covered with Portland Cement Concrete (PCC).

313 S. KENTON AVE



Parcel ID	5540950700	Doc Type	6
Address	313 S. KENTON AVE	Doc Number	601758
Owner	VO CHAU TRUNG	Doc Date	100313
Owner Address	11859 TRAIL CREST DR	Acreage	0
Legal Desc	LOT 33*		
Subdivision	PARK VIEW TERRACE		
Assessor Value	\$152,306		

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey or zoning verification. **1 inch = 144 feet**
5/28/2015

2015-03 CUP – 313 Kenton Avenue – Site Photos



Looking southeast from S. Kenton Avenue



Looking northeast from S. Kenton Avenue



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT FOR A
SENIOR BOARDING HOUSE TO BE
LOCATED AT 313 KENTON AVENUE.

CASE FILE NO.: 2015-03 CUP

APN: 554-095-07

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, June 1, 2015**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Jose A. Perez).

The applicant is proposing to operate a large senior residential care facility (up to 12 persons). The proposed facility will have six bedrooms and will be required to have six parking spaces. Up to two caretakers will be present 24 hours a day.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 12:00 p.m., **June 1, 2015**, who can be contacted at 619-336-4310 or planning@nationalcityca.gov

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT

BRAD RAULSTON
Executive Director



CITY OF NATIONAL CITY - DEVELOPMENT SERVICES DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: County Clerk
County of San Diego
P.O. Box 1750
1600 Pacific Highway, Room 260
San Diego, CA 92112

Project Title: 2015-03 CUP

Project Location: 313 S. Kenton Avenue, National City, CA, APN: 554-095-07

Contact Person: Michael Fellows

Telephone Number: (619) 336-4315

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit for a Senior Boarding House operated at an existing single-family residence. The project will provide additional housing opportunities for senior citizens.

Applicant:

Jose Perez
402 W. Broadway
San Diego, CA 92101

Telephone Number:

(619) 666-0872

Exempt Status:

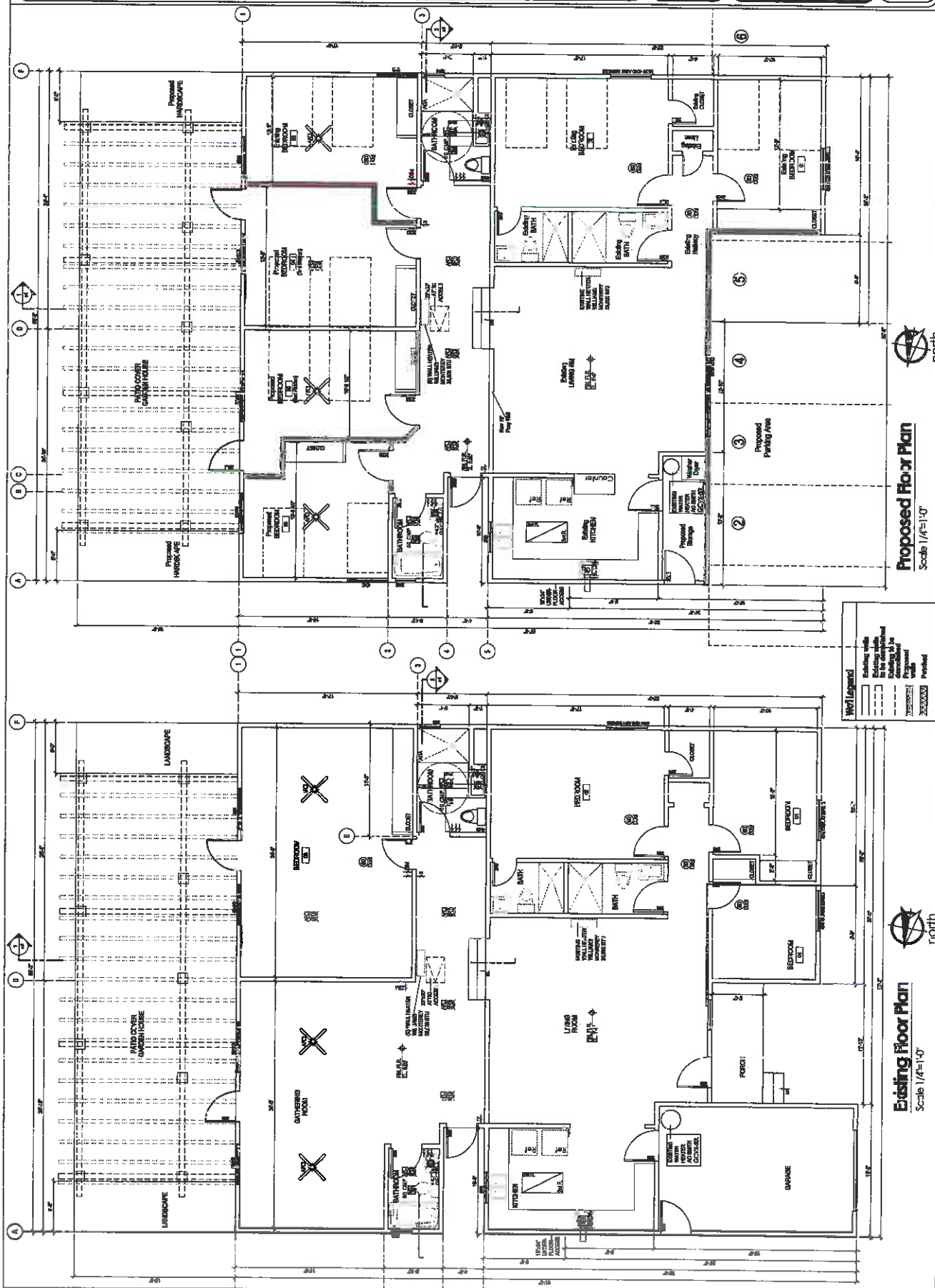
☒ **Categorical Exemption. Class 3 Section 15301 (Existing Facilities)**

Reasons why project is exempt:

There is no possibility that the proposed use will have a significant impact on the environment since the facility will be operated in an existing single-family house in an existing neighborhood and will have a maximum of 12 residents.

Date:

MICHAEL FELLOWS
Planning Technician





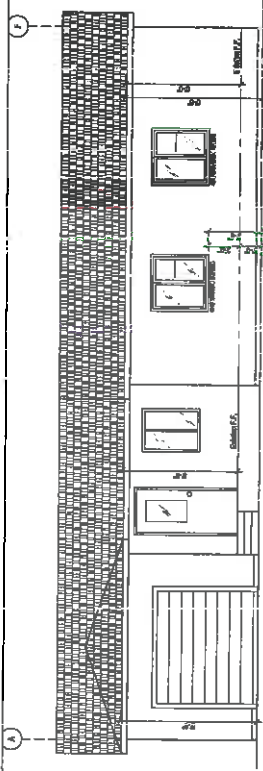
Call (619) 666-0872
Fax (619) 923-3275
4320 Broadway #4th Fl
San Diego, CA 92101

BOLERO VILLA-1
313 S Kenton Ave.
National City, Ca. 91950
CUP for Residential Care Facility for the Elderly

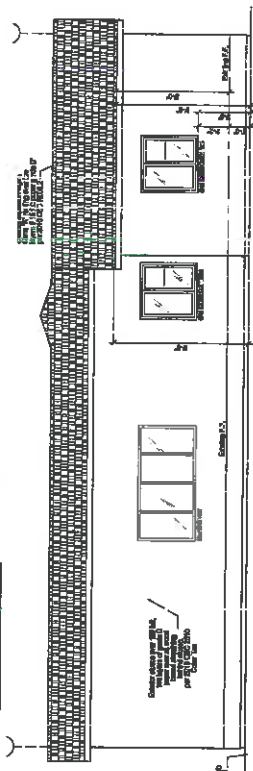
Sheet content:
Existing & Proposed Elevations

Responsible	JOSIE PEREZ
Reviewed	
Scale	1/4"=1'-0"
Date	07/2015
AS NOTED	

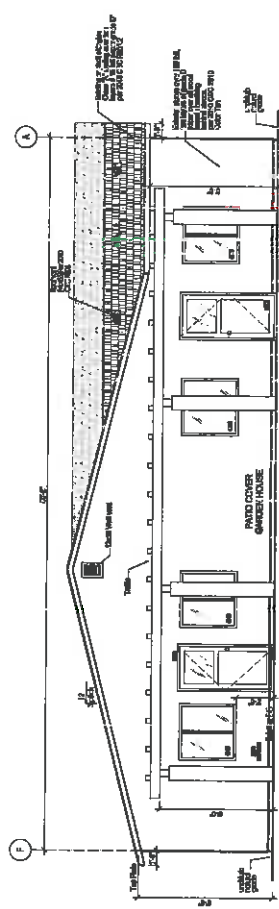
Sheet Type: Elevations
a 3



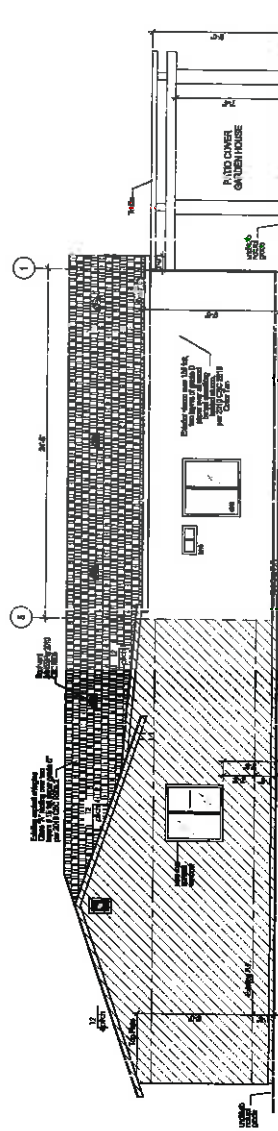
Existing Front (West) Scale 1/4"=1'-0"



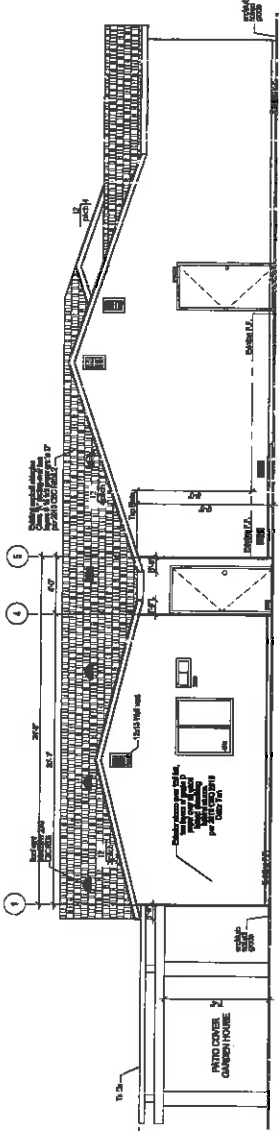
Proposed Front (West) Scale 1/4"=1'-0"



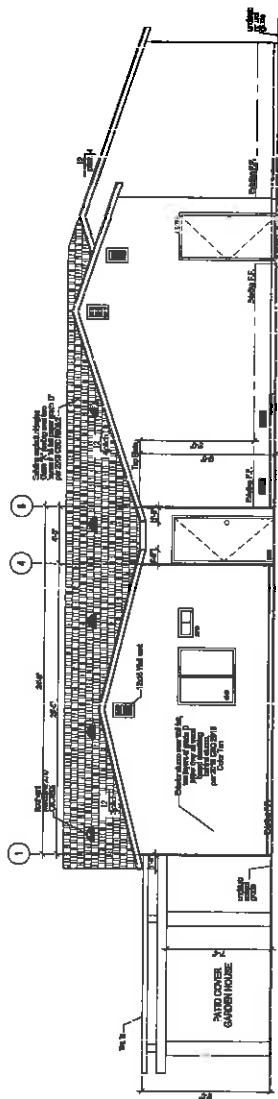
Existing & Proposed Rear (East)
Scale 1/4"=1'-0"



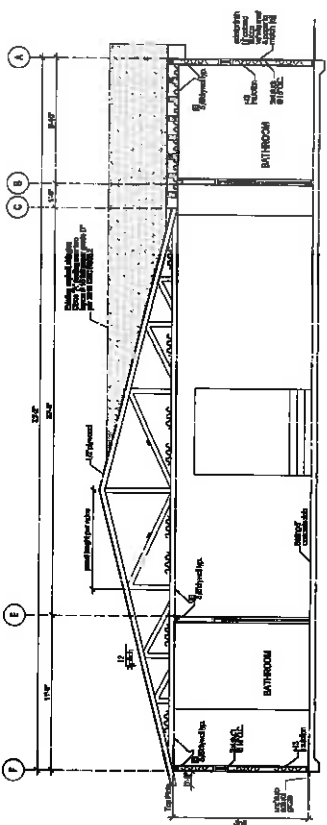
Existing & Proposed Right (South)
Scale 1/4"=1'-0"



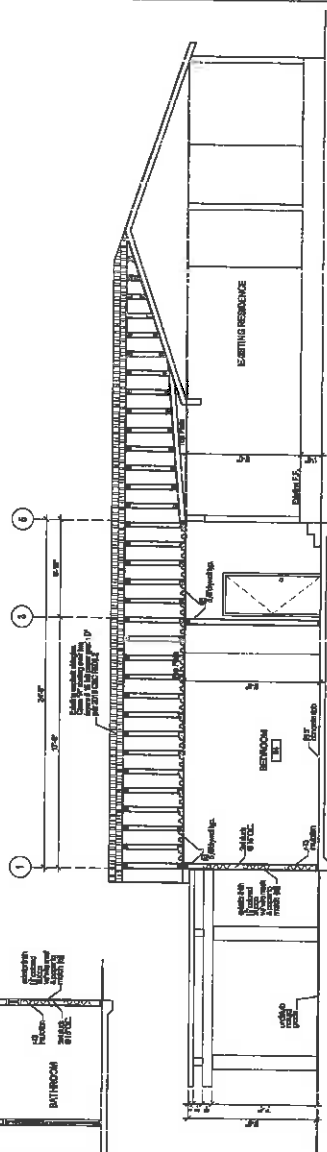
Existing Left (North) Scale 1/4"=1'-0"



Proposed Left (North) Scale 1/4"=1'-0"



Proposed Section 2
 Scale 1/4"=1'-0"



Proposed Section 1
 Scale 1/4"=1'-0"

RESOLUTION NO. 2015-09

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT FOR A
SENIOR BOARDING HOUSE AT 313 S. KENTON AVENUE.
APPLICANT: JOSE A. PEREZ
CASE FILE NO. 2015-03 CUP
APN: 554-095-07

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for a Senior Boarding House at 313 South Kenton Avenue at a duly advertised public hearings held on June 1, 2015, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2015-03 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on June 1, 2015, support the following findings:

1. That the proposed use is not consistent with the General Plan and any applicable specific plans, since Policy E-3.2 of the General Plan is to prevent the intrusion of new incompatible land uses into existing residential areas, and the proposed use has been determined to be incompatible with the residential neighborhood for reasons detailed in the staff report, and since no Specific Plans exist in this area.
2. That the design, location, size, and operating characteristics of the proposed activity would not be compatible with the existing and future land uses in the vicinity, since the residential neighborhood is zoned for single-family residential uses and the proposed senior residential care facility is a large facility that has operating characteristics typical of an institutional use. Furthermore, the proposed modifications to the property that include a front door facing the side property line

and six parking spaces located in front of the residence are inconsistent with development patterns in the single-family residential neighborhood.

3. That the site is not physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the General Plan Land Use Map designates the property for Low-Medium Density Residential Development that allows 33 persons per gross acre, and the proposal for 73 persons per gross acre far exceeds the General Plan's density allowance.
4. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, since General Plan Land Use Map designates the property for Low-Medium Density Residential Development that allows 33 persons per gross acre, and the proposal for 73 persons per gross acre far exceeds the General Plan's density allowance. The excessive density would be injurious to neighboring residents due to disturbances associated with overconcentration that include the potential for noise and parking issues.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of June 1, 2015, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING - CONDITIONAL USE PERMIT
FOR A DRIVE-THROUGH FAST FOOD
RESTAURANT TO BE LOCATED ADJACENT TO
401 MILE OF CARS WAY.

Case File No.: 2015-01 CUP

Property Location: South Bay Corporate Center

Assessor's Parcel No.: 562-340-72

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: Gordon Stucky

Zoning designation: Multi-Use Commercial-Residential (MCR-2)

Adjacent land use/zoning:

North: Paradise Creek & Future WITOD project / MCR-2

East: Car dealership across Hoover Avenue / MXC-2 (Major
Mixed-Use Corridor)

South: Southport Business Center across Mile of Cars Way /
MXC-2

West: National City Adult School across Wilson Avenue / CL
(Limited Commercial)

Environmental review: Categorically Exempt pursuant to Class 11 Section
15311 (Accessory Structures)

Staff Recommendation: Approve subject to Conditions of Approval

BACKGROUND

Site Characteristics

The 0.74-acre project site is currently part of a parking lot associated with the South Bay Corporate Center. Other development on the property includes a three-story office building and a 25-foot tall utility building along West 22nd Street. Both properties are under the same ownership and developed as one campus. There are 465 parking spaces located on the property, as well as another 316 in a parking lot to the east across Hoover Avenue, which is also part of the South Bay Corporate Center. There are a total of 781 parking spaces available for the development.

The office building is currently the subject of a separate Conditional Use Permit (CUP) for a County of San Diego Health & Human Services and Child Support Services office, which is on the same agenda as the subject item. A detailed analysis of parking needs and operation accounting for both CUP applications is covered in the "Parking/Circulation" section below.

Proposal

The applicant proposes to construct a 3,101 square-foot drive-through fast food restaurant (Freddy's Frozen Custard) with a 400 square-foot patio. Reconfiguration of the parking lot would be required, including removal of thirty-seven parking spaces. The restaurant would employ 10 people per shift and would be open from 11 a.m. to 12 a.m. seven days a week.

Analysis

There are two other drive-through businesses in the area (In-N-Out Burger and Starbucks) that the proposed business would be consistent with. Both of these businesses are located across Mile of Cars Way to the south. Starbucks received a CUP for their drive-through in 2013.

The subject restaurant use is a permitted use within the MCR-2 zone, even with the drive-through aisle. However, drive-through businesses in general are required to obtain a CUP by the Land Use Code. In the case of conflicting code sections, the most restrictive applies, thus the CUP requirement. Chapter 18.41 – Site Planning Standards – has specific design requirements for drive-through businesses, including:

- Minimum queuing distances (established by CUP).
- Minimum 25-foot interior turning radius for drive-through aisles.
- Location of drive-through window and landscaping requirements.

The site plan shows approximately 20 feet of vehicle queuing distance prior to the ordering/menu board, with another 80 feet to the pick-up window. The drive-through aisle begins near the southeast corner of the office building (north of the driveway

entering from Mile of Cars Way) and exits just south of the southernmost driveway entering from Hoover Avenue in the southeast corner of the property. In order to accommodate the restaurant, 37 parking spaces were vacated; 28 standard size and 9 compact size. The proposed pick-up window is on the south side of the building facing Mile of Cars Way.

Although the overall queuing distance is approximately 100 feet, the short distance between the aisle entry and ordering board (approximately one car length) may not provide for efficient vehicle queuing during peak periods of traffic, potentially resulting in overflow into adjacent parking areas and potentially Mile of Cars Way (westbound). Peak operating times for this type of use are generally at lunchtime. Other area drive-through restaurants have significant lunch hour vehicle queues (e.g. In-N-Out Burger across Mile of Cars Way), which have impacts on adjacent parking areas and streets. In-N-Out is set back from the street and still creates an impact; therefore, similar traffic patterns can be expected from the subject restaurant. In order to improve initial circulation through the drive-through aisle, staff is suggesting that the order board be moved closer to the restaurant building to allow for three vehicles to queue within the aisle prior to the order board. This would be consistent with recent approvals for drive-through businesses (i.e. Starbucks, Sonic, and Popeye's). A Condition of Approval is included to address this relocation.

The Land Use Code states that a drive-through window may not be located between the right-of-way and the building without a minimum 10-foot wide landscape buffer. The buffer shall have a minimum three-foot high hedge with trees spaced at least every 20 feet. The landscape plan for the project is consistent with these requirements and is conditioned to be included with plans submitted for construction.

Parking/Circulation

The existing office building requires 638 parking spaces where 781 exist throughout the property, a surplus of 143 spaces. The proposed restaurant would reduce overall parking by 36 spaces, resulting in a surplus of 107 spaces. Based on submitted plans, 27 of the removed spaces would be standard size and 9 would be compact size. The Land Use Code allows for a maximum of 25% of required parking spaces to be compact in size (479 in this case).

Based on the information above, the overall number of existing standard size spaces would be reduced to 458, less than the 479 required to maintain the permitted standard/compact ratio. The ratio of compact spaces would end up at 39%. The restaurant itself requires another 14 parking spaces, reducing the surplus of parking at the center to 93. Factoring in the required 25% maximum compact spaces, the project would need to provide another 21 standard spaces. This can be provided through a combination of reduced parking and restriping of excess compact spaces.

The Land Use Code allows for several reductions in required parking (many of which are being applied in the San Diego County CUP on the same agenda). In this case, the project would qualify for motorcycle spaces (4 feet by 8 feet) to replace standard

spaces at a ratio of 1 motorcycle space for every 40 standard vehicle spaces. This would equate to 18 motorcycle spaces permitted, leaving 3 more to be accounted for. The remaining 3 spaces can be provided by restriping excess compact parking spaces (8 feet x 16 feet) elsewhere on the property to make them standard in size (9 feet x 18 feet). A condition has been included to require the improvements.

According to SANDAG (San Diego Association of Governments) data, a 3,101 square-foot fast food restaurant with a drive-through would generate approximately 2,000 average daily trips (ADT). Primary access to and from the site is provided by Mile of Cars Way, an arterial street operating at a Level of Service (LOS) of at least B. According to the General Plan, the addition of 2,550 ADT would not increase capacities so as to decrease the current LOS to an unsatisfactory level. The current ADT capacity of Mile of Cars Way is 40,000 with a current ADT of 17,000.

Noise

Noise issues related to drive-through businesses are usually related to vehicle queuing and ordering windows/speakers. Noise is not likely to be an issue given that the area is strictly commercial and located close to Interstate 5. However, recent approvals for drive-through businesses have required noise-attenuating speakers at the ordering window. This type of speaker automatically adjusts its volume to compensate for ambient noise (streets, vehicles, etc.). Therefore, the volume is lower during quieter periods, such as at night. There is a condition requiring the noise-attenuating speakers.

CEQA

The project is Categorically Exempt under the California Environmental Quality Act (CEQA) pursuant to Class 11 Section 15311 (Accessory Structures). This section allows for construction or placement of minor structures accessory to commercial facilities. The restaurant itself is permitted by right and would otherwise be exempt from CEQA as a ministerial permit (building permit). The drive-through aisle is appurtenant to the restaurant and would thus be consistent with this exemption.

Conditions of Approval are included that address Building, Engineering, and Fire Department comments. Conditions cover code requirements (Fire & Building), vehicular access requirements (Engineering), and design and performance regulations for the drive through (Planning).

Summary

The proposed drive-through is consistent with the Land Use Code with the approval of a Conditional Use Permit. Conditions of Approval will ensure that the business operates in harmony with existing uses in the area. The potential impacts are minimal since design guidelines ensure an appropriately-designed project. The new restaurant will contribute to the viability of the property and the area.

OPTIONS

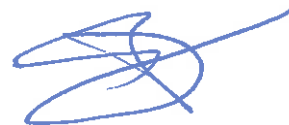
1. Approve 2015-01 CUP subject to the conditions listed below, based on attached findings; or
2. Deny 2015-01 CUP based on findings to be determined by the Planning Commission; or
3. Continue the item in order to obtain additional information.

ATTACHMENTS

1. Recommended Findings for Approval
2. Recommended Conditions of Approval
3. Location Map
4. Notice of Exemption
5. Public Hearing Notice (Sent to 5 property owners)
6. Site Photos
7. Applicant's Plans (Exhibit A, Case File No. 2015-01 CUP dated 2/9/2015)



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Executive Director

RECOMMENDED FINDINGS FOR APPROVAL
OF THE CONDITIONAL USE PERMIT
2015-01 CUP – APN: 562-340-72

1. That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, since drive-through restaurants are a permitted use in the Multi-Use Commercial-Residential (MCR-2) zone.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, since drive-through restaurants are conditionally-allowed by the Land Use Code, which is consistent with the General Plan, in the MCR-2 zone; and since drive-through restaurants are permitted by right in the Westside Specific Plan area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, since the proposed design meets all design requirements for drive-through businesses, and since the current street network is able to absorb additional vehicular traffic without resulting in an unsatisfactory level of service.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the property can continue to provide enough parking spaces based on provisions and reductions outlined in the Land Use Code.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, since the proposed use will be compatible with other nearby businesses; and since the proposed use will be subject to conditions that require compliance with the National City Municipal Code.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 11 Section 15311 (Accessory Structures), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.
7. That the proposed project qualifies for a reduction of 21 standard-size parking spaces, since the property has the opportunity for 18 motorcycle spaces in lieu of standard vehicle spaces and can restripe excess compact spaces to provide the addition 3 standard spaces.

RECOMMENDED CONDITIONS OF APPROVAL

2015-01 CUP – APN: 562-340-72

General

1. This Conditional Use Permit authorizes a drive-through fast food restaurant to be located at the southeast corner of the South Bay Corporate Center. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2015-01 CUP dated 4/22/2015.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Land Use Code.
4. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of the permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate said permit.** The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.

Building

5. Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, and Mechanical Codes.

Engineering

6. The developer shall restripe Hoover Avenue to allow for left hand turns into/out of the driveway on Hoover Avenue.
7. The developer shall sign Miles of Cars Way driveway as "Right Turn Only" for drivers exiting the property.

Fire

8. Plans submitted for improvements must comply with the 2013 editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.
9. Hood suppression plans shall be submitted directly to the National City Fire Department through permit.

10. Signs used for utilities shall follow National City Fire Department "Handout" requirements.
11. A fire sprinkler system shall be required if the fire area exceeds an occupant load of 100 or more. This would be described as the total area available, not area used.

Planning

12. The ordering board shall be located so as to provide at least 54 feet (three standard vehicles) of vehicle queueing distance within the drive-through aisle prior to the ordering board.
13. A landscape and underground irrigation plan shall be submitted as part of the building permit process. Installation and continued maintenance of minimum landscaping items required by the Land Use Code, including a minimum three-foot hedge and trees spaces 20 feet on center along Mile of Cars Way shall be provided.
14. Plans shall conform to minimum turning radius requirements for drive-through businesses unless the City Engineer approves a lesser radius.
15. Business operations shall comply with Municipal Code Title 12 (Noise) at all times. Plans submitted for construction shall reflect the use of sound-attenuating speakers that automatically reduce the volume of ordering speakers during periods of low ambient noise.
16. Plans submitted for construction permits shall show that a cover for the new trash enclosure shall be provided. Construction plans shall show the details of the enclosure to the satisfaction of the Fire and Engineering Departments.
17. Plans submitted for construction shall conform to Land Use Code Section 18.46 (Outdoor Lighting).
18. The applicant shall show, to the satisfaction of the Planning Department, that the minimum ratio of standard to compact parking spaces is maintained for the South Bay Corporate Center campus. Any required restriping shall be conducted and demonstrated prior to certificate of occupancy.

Parcel ID	5623405400	Doc Type	1
Address	401 MILE OF CARS WAY	Doc Number	301873
Owner	WALTON/GREENLAW SOUTH BAY HOLDINGS VI L L C	Doc Date	052312
Owner Address	C/O GREENLAW PARTNERS L L C	Acreage	5.44
Legal Desc	PAR 1\		
Subdivision	PARCEL MAP NO 13353		
Assessor Value	\$10,812,000		

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey or zoning verification.



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: County Clerk
County of San Diego
P.O. Box 1750
1600 Pacific Highway, Room 260
San Diego, CA 92112

Project Title: 2015-01 CUP

Project Location: Assessor's Parcel Number 562-340-72

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Conditional use permit for a new drive-through aisle related to a fast food restaurant in an existing commercial center.

Applicant Name and Address:

Gordon Stucky
1024 East 1st Street, West
Wichita, KS 67235

Telephone Number:

(316) 267-7142

Exempt Status:

☒ **Categorical Exemption. Class 11, Section 15311 (Accessory Structures)**

Reasons why project is exempt:

There is no possibility that the proposed use will have a significant impact on the environment since construction of the drive-through aisle will be within the property envelope, which is developed and devoid of any habitat or sensitive lands use. The aisle is a minor structure that will be accessory to a permitted restaurant facility.

Date:

MARTIN REEDER, AICP
Principal Planner



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

PUBLIC HEARING - CONDITIONAL USE PERMIT FOR
A DRIVE-THROUGH FAST FOOD RESTAURANT
TO BE LOCATED ADJACENT TO 401 MILE OF CARS WAY
CASE FILE NO: 2015-10 CUP
APN: 562-340-70

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, June 1, 2015**, in the City Council Chambers, 1243 National City Blvd., National City, California on a proposed request (Gordon Stucky).

The applicant proposes to construct a 3,101 square-foot drive-through fast food restaurant with a 400 square-foot patio. Reconfiguration of the parking would be required, including removal of thirty-seven parking spaces.

Members of the public are invited to comment. Any person interested in this matter may appear at the above time and place and be heard. Written comments should be received by the Planning Department on or before 12 p.m., **June 1, 2015**. Planning Department staff may be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the public hearing entity conducting the hearing at, or prior to, the public hearing.

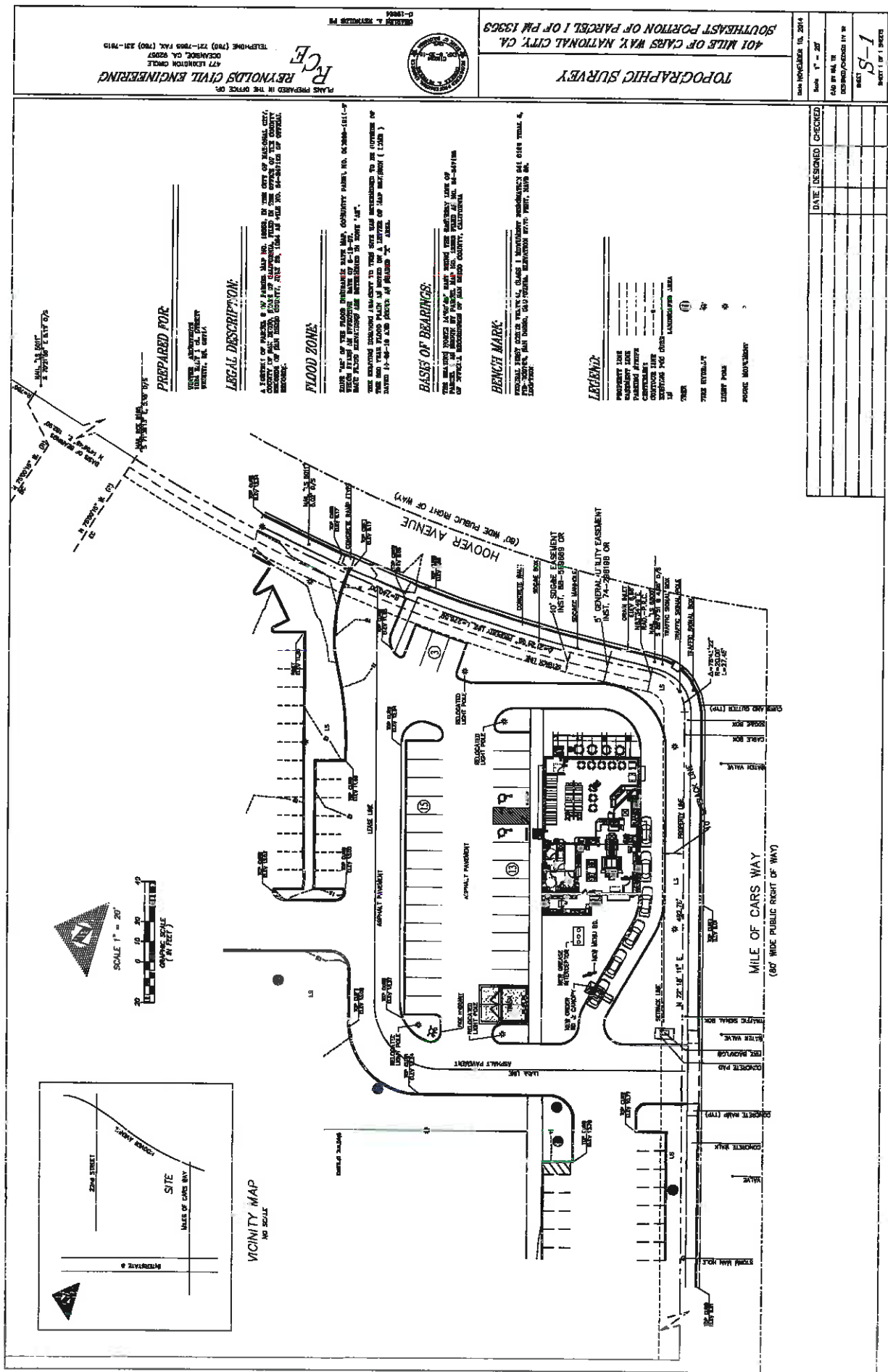
PLANNING DEPARTMENT

BRAD RAULSTON
Executive Director

2015-01 CUP –Mile of Cars Way. – Freddy's Frozen Custard – Site Photos









THE
LIGHTFOOT
PLANNING
GROUP

PLANNING
SITE DESIGN
LANDSCAPE
ARCHITECTURE

100 WEST 10TH STREET
SUITE 100
DENVER, CO 80202
(303) 733-1171
LIGHTFOOT@GMAIL.COM



401 MILE OF CARS WAY
NATIONAL CITY, CALIFORNIA

DATE	11.1.17
BY	LM
CHKD	LM
DATE	11.1.17
BY	LM
CHKD	LM

LANDSCAPE
CONCEPT
PLAN

#1
L-1

CONCEPTUAL PLANT PALETTE

FLOWERING ACACIA TREE SUCH AS
ACACIA FLORENSA
ACACIA DECAISNANA

SMALL PLANT SPECIES SUCH AS
MIMULUS LEWISII, LITTLE GEM
MIMULUS, T. THAMNOCORYMBIS
PENICILLATA, SPRING FINE STAMEN FLOWERS
MIMULUS, T. THAMNOCORYMBIS
MIMULUS, T. THAMNOCORYMBIS

VERTICAL ELEMENTS SUCH AS
DALYRIA, BRASSICA
MELALUCA, LUNARIA

EXISTING SPECIES SUCH AS
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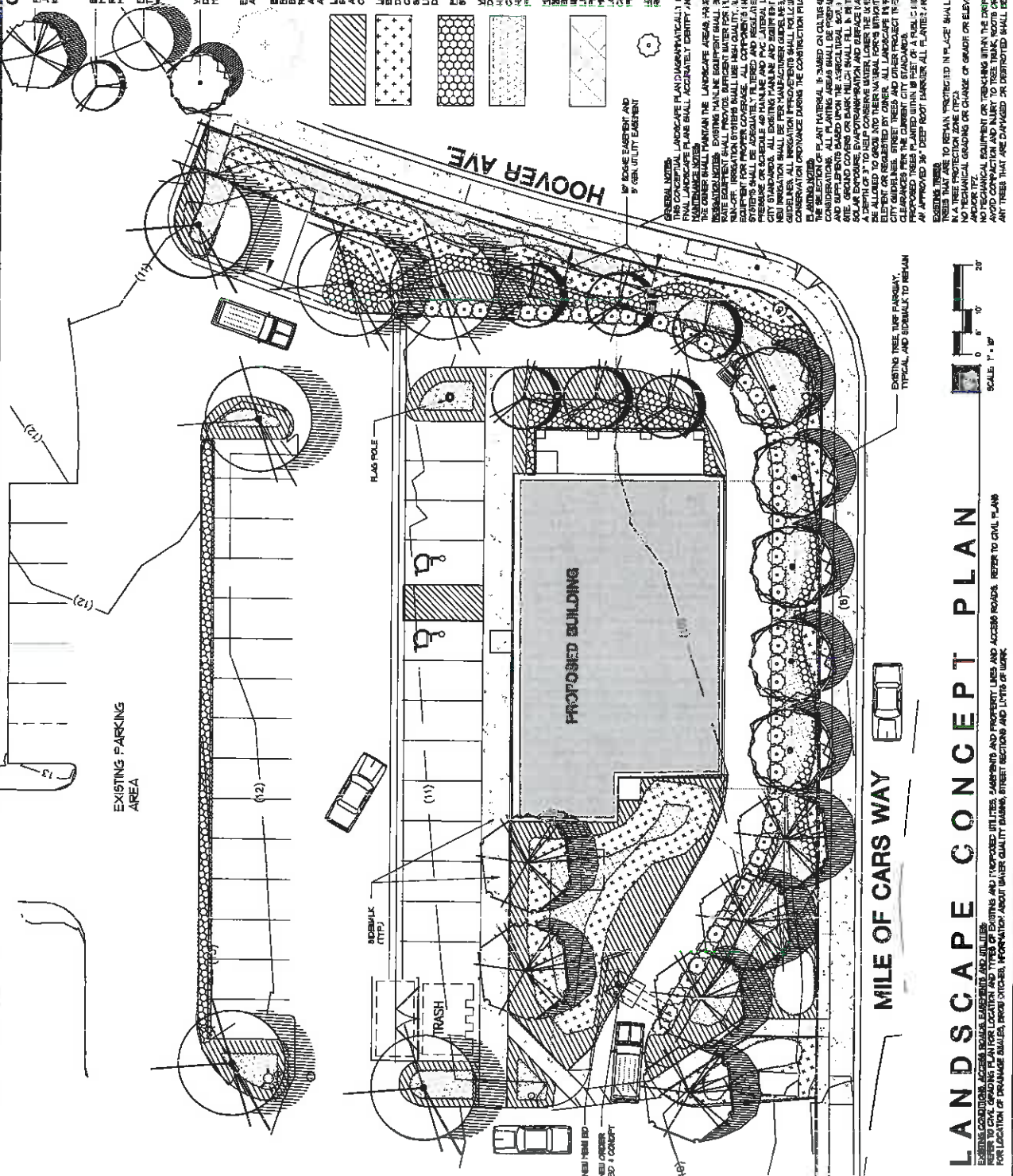
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LANDSCAPE CONCEPT PLAN

EXISTING CONDITIONS, ACCESS, ROAD, LANDSCAPE, AND UTILITIES
REFER TO CIVIL GRADING PLAN FOR LOCATION AND TYPES OF EXISTING AND PROPOSED UTILITY LINES AND ACCESS ROADS. REFER TO CIVIL PLAN
FOR LOCATION OF DRAINAGE BASINS, STREET DITCHES, INFORMATION ABOUT WATER QUALITY BASINS, STREET SECTIONS AND LIMITS OF WORK.

MILE OF CARS WAY



EXISTING TREE LINE PARALLEL
TYPICAL AND SUBMIT TO REVIEW



SCALE: 1" = 10'

RESOLUTION NO. 2015-10

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT FOR
A DRIVE-THROUGH FAST FOOD RESTAURANT
TO BE LOCATED ADJACENT TO 401 MILE OF CARS WAY
CASE FILE NO. 2015-01 CUP
APN: 562-340-72

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for a drive-through coffee shop located at 404 Mile of Cars Way at a duly advertised public hearing held on June 1, 2015, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2015-01 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on June 1, 2015, support the following findings:

1. That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, since drive-through restaurants are a permitted use in the Multi-Use Commercial-Residential (MCR-2) zone.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, since drive-through restaurants are conditionally-allowed by the Land Use Code, which is consistent with the General Plan, in the MCR-2 zone; and since drive-through restaurants are permitted by right in the Westside Specific Plan area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, since the proposed design meets all design requirements for drive-through

businesses, and since the current street network is able to absorb additional vehicular traffic without resulting in an unsatisfactory level of service.

4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since the property can continue to provide enough parking spaces based on provisions and reductions outlined in the Land Use Code.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, since the proposed use will be compatible with other nearby businesses; and since the proposed use will be subject to conditions that require compliance with the National City Municipal Code.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 11 Section 15311 (Accessory Structures), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.
7. That the proposed project qualifies for a reduction of 21 standard-size parking spaces, since the property has the opportunity for 18 motorcycle spaces in lieu of standard vehicle spaces and can restripe excess compact spaces to provide the addition 3 standard spaces.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes a drive-through fast food restaurant to be located at the southeast corner of the South Bay Corporate Center. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2015-01 CUP dated 4/22/2015.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Land Use Code.
4. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of the permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate said permit.** The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder.

The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.

Building

5. Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, and Mechanical Codes.

Engineering

6. The developer shall restripe Hoover Avenue to allow for left hand turns into/out of the driveway on Hoover Avenue.
7. The developer shall sign Miles of Cars Way driveway as "Right Turn Only" for drivers exiting the property.

Fire

8. Plans submitted for improvements must comply with the 2013 editions of the California Fire Code (CFC) and National Fire Protection Association (NFPA), and the current edition of the California Code of Regulations.
9. Hood suppression plans shall be submitted directly to the National City Fire Department through permit.
10. Signs used for utilities shall follow National City Fire Department "Handout" requirements.
11. A fire sprinkler system shall be required if the fire area exceeds an occupant load of 100 or more. This would be described as the total area available, not area used.

Planning

12. The ordering board shall be located so as to provide at least 54 feet (three standard vehicles) of vehicle queueing distance within the drive-through aisle prior to the ordering board.
13. A landscape and underground irrigation plan shall be submitted as part of the building permit process. Installation and continued maintenance of minimum landscaping items required by the Land Use Code, including a minimum three-foot hedge and trees spaces 20 feet on center along Mile of Cars Way shall be provided.
14. Plans shall conform to minimum turning radius requirements for drive-through businesses unless the City Engineer approves a lesser radius.
15. Business operations shall comply with Municipal Code Title 12 (Noise) at all times. Plans submitted for construction shall reflect the use of sound-attenuating speakers that automatically reduce the volume of ordering speakers during periods of low ambient noise.
16. Plans submitted for construction permits shall show that a cover for the new trash enclosure shall be provided. Construction plans shall show the details of the enclosure to the satisfaction of the Fire and Engineering Departments.
17. Plans submitted for construction shall conform to Land Use Code Section 18.46 (Outdoor Lighting).

18. The applicant shall show, to the satisfaction of the Planning Department, that the minimum ratio of standard to compact parking spaces is maintained for the South Bay Corporate Center campus. Any required restriping shall be conducted and demonstrated prior to certificate of occupancy.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of June 1, 2015, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING - CONDITIONAL USE PERMIT
FOR A COUNTY OF SAN DIEGO HEALTH &
HUMAN SERVICES AND CHILD SUPPORT
SERVICES OFFICE TO BE LOCATED AT 401 MILE
OF CARS WAY

Case File No.: 2015-10 CUP

Property Location: South Bay Corporate Center

Assessor's Parcel No.: 562-340-71

Staff report by: Martin Reeder, AICP – Principal Planner

Applicant: County of San Diego

Zoning designation: Multi-Use Commercial-Residential (MCR-2)

Adjacent land use/zoning:

North: Paradise Creek & Future WITOD project / MCR-2

East: Car dealership across Hoover Avenue / MXC-2 (Major
Mixed-Use Corridor)

South: Southport Business Center across Mile of Cars Way /
MXC-2

West: National City Adult School across Wilson Avenue / CL
(Limited Commercial)

Environmental review: Categorically Exempt pursuant to Class 1 Section
15301 (Existing Facilities)

Staff Recommendation: Approve subject to Conditions of Approval

BACKGROUND

Site Characteristics

The 7.52-acre project site is developed with two separate buildings, a three-story office building comprising approximately 220,000 square feet of leasable space, and a 25-foot tall 10,685 square-foot utility building along West 22nd Street. Each of the three floors of the office building is approximately 73,155 square feet in floor area. There are 465 parking spaces located on the lot, as well as another 316 in a parking lot to the east across Hoover Avenue, which is also part of the South Bay Corporate Center. There are a total of 781 parking spaces available for the development. The building was previously a banking office, which operated in the entire building as the only tenant.

Other tenants in the office building include ITT Tech, a technical college which occupies much of the 1st floor; TDK-Lambda, an electronics company which occupies the remainder of the 1st floor and part of the 3rd floor; and Episcopal Community Services, a faith-based outreach group that also occupies part of the 3rd floor. The 2nd floor is currently vacant, as is part of the 3rd floor.

Part of the west parking lot is a separate parcel, which is currently under contract to build a drive-through fast food restaurant. The restaurant is applying for a Conditional Use Permit (CUP), which is on the same agenda as the subject item. The restaurant CUP, if approved, would result in a loss of 37 parking spaces. A detailed analysis of parking needs and operation is covered in the "Parking" section below.

Proposal

The County of San Diego proposes to lease approximately 85,000 square feet of office space on the 2nd and 3rd floor of an existing office building located at 401 Mile of Cars Way (South Bay Corporate Center). This would be the remainder of space available to lease. The proposed use is for administrative office use and public contact for the County's Health & Human Services and Child Support Services departments. Hours of operation would be 7 a.m. to 6 p.m. Monday to Friday.

Specific uses designated for the proposed facility are as follows:

Health & Human Services Agency (HHSA)

- In-Home Supportive Services (IHSS)
 - Assist aged or disabled low-income individuals to receive the appropriate level of care so that they may remain safely in their own homes. The assistance provided prevents the premature placement of individuals into board and care facilities or nursing homes.

- **Public Authority**
 - An independent public agency that works closely with Aging and Independence Services to recruit, screen, and train in-home care workers who assist elderly and disabled low-income individuals to live high quality lives in their own homes.
- **Family Resource Center (FRC)**
 - Assist residents with the enrollment into:
 - Health care programs by increasing the number of residents with health insurance;
 - Nutrition programs to help eligible families and individuals buy food and improve their nutrition; and
 - Temporary financial assistance programs to help families achieve self-sufficiency.
- **Office of Military and Veterans Affairs (OMVA)**
 - Assist military, veterans, their survivors, and dependents to obtain state and federal benefits, which may include VA disability claims, CalVet college fee waivers, VA health care applications and Outreach and Transition support.
- **Adult Protective Services (APS)**
 - Prevent and remedy abuse, neglect or exploitation of elder and dependent adults who are unable to care for themselves. Services include assistance and resources to help adults meet their own needs and may include referrals to health, shelter, or legal resources.

Child Support Services (CSS)

- Establish and enforce court orders for paternity, financial and medical support for children. Provide wrap around services through community based partnerships to promote family self-sufficiency.

Based on these activities, the proposed has been classified as a “Community Service” use, for which the Westside Specific Plan requires a Conditional Use Permit. The applicant has stated that the intention of the National City facility is to cater to National City and other nearby residents who typically travel to other County locations, although some offices will be closed down and moved to National City. Allocations of existing clientele are as follows:

- IHSS and PA – 100% of Bay Blvd. location (Chula Vista), which would close.
- FRC – 17% of South Region and 51% of Southeast region clientele.
- OMVA – Estimated to be same as new Escondido location.
- Child Support Services (CSS) – 20% share of Downtown San Diego

These percentages are broken down in to the following numbers:

Department	Total Daily Visitors	Maximum/peak visitors
IHSS & PA	96	15
FRC	252	55
OMVA	60	20
CSS	25	5

The proposed activities will provide health and social services, promoting wellness, self-sufficiency and a better quality of life for individuals and families in need in San Diego County. Other businesses in the area provide services to similar segments of the community. These uses include the McAllister Institute, an alcohol and drug treatment provider located across Mile of Cars Way; and the National City Adult School, which provides high school equivalency education to adults who did not graduate high school. The school is located across Wilson Avenue to the west, adjacent to the 24th Street Trolley Station.

Analysis

General Plan

The proposal is consistent with the goals and policies of the General Plan. Specifically, based on the descriptions above, the following goals and policies apply:

Goal HEJ-6: Convenient and accessible health services that meet the needs of the community.

Policy HEJ-1.1: Facilitate the involvement of community residents, businesses, and organizations in the development, adoption, and implementation of community health initiatives and consider their input throughout the decision making process.

Policy HEJ-3.5: Raise awareness about the importance of healthy behaviors and physical fitness to overall well-being.

Policy HEJ-4.8: Inform low income families and people experiencing homelessness about food assistance programs.

Westside Specific Plan

Appendix "A" of the Westside Specific Plan, which outlines permissible uses in the Specific Plan area, allows for community uses with the issuance of a Conditional Use Permit in the Multi-Use Commercial-Residential (MCR-2) zone.

Land Use Code

The Land Use Code defers to the Westside Specific Plan for permissible use in the plan area. Appendix "A" of the Westside Specific Plan is based on the former Appendix "D" of the previous Land Use Code, which listed permissible uses for the whole City.

Anticipated issues related to community uses include traffic and parking due to the expected large number of visitors.

Traffic

According to SANDAG (San Diego Association of Governments) data, 85,000 square feet of government office use (closest comparison) would generate approximately 30 average daily trips (ADT) per 1,000 square feet of use. In this case, that would be 2,550 ADT.

Primary access to and from the site is provided by Mile of Cars Way, an arterial street operating at a Level of Service (LOS) of at least B. According to the General Plan, the addition of 2,550 ADT would not increase capacities so as to decrease the current LOS to an unsatisfactory level. The current ADT capacity of Mile of Cars Way is 40,000 with a current ADT of 17,000.

Prior to ITT Technical Institute moving in to the building, the City required additional street improvements in order to limit any traffic or parking impacts. These improvements included an extended eastbound left-turn pocket from Mile of Cars Way onto Hoover Avenue, and the striping of diagonal spaces on Hoover Avenue for overflow parking.

Based on the information above, the City Traffic Engineer did not require additional traffic studies and is of the opinion that the existing road network can accommodate the additional traffic generated by the proposed operations.

Parking

The South Bay Corporate Center controls 781 parking spaces; 485 spaces are standard size (9 feet by 18 feet) and 296 are compact size (8 feet by 16 feet).

The Westside Specific Plan requires 2.9 parking spaces per 1,000 square feet of use. In this case, 220,000 square feet (total area of the building) would require 638 spaces, a 143-space surplus.

The Land Use Code allows up to 25% of required parking spaces to be compact in size. Although the existing amount of compact spaces is 38%, the lot has the required ratio of standard to compact size spaces due to the excess of overall parking (479 standard; 235 compact).

Because there is no expansion of the building, no additional parking spaces would normally be required. Therefore, the proposal is consistent with the Westside Specific Plan with regard to parking. Furthermore, the previous and proposed uses are both considered office with regard to Westside Specific Plan parking requirements, so no change in parking is generally needed. However, given that there are two projects in the same development currently under review, their respective parking needs must be considered together.

Potential drive through restaurant CUP¹

The proposed fast food restaurant being proposed at the current time would reduce the overall parking spaces at the South Bay Corporate Center by 37 spaces. Based on plans submitted with the restaurant CUP, 28 of the removed spaces would be standard size and 9 would be compact size. Therefore, the overall number of existing standard size spaces (485) for the office building would be reduced to 457, less than the 479 currently required to maintain the permitted standard/compact ratio. The ratio of compact spaces would be increased to 39%. This does not take into account the parking required for the new restaurant (which is analyzed under its own CUP).

The Land Use Code allows for reductions in required parking for six separate scenarios:

1. Transportation Demand Management Program – not applicable.
2. Proximity to Transit – within a quarter-mile.
3. Shared parking – shared with uses open at different times.
4. Adjacent on street parking – on a one-for-one basis.
5. Car sharing – not applicable.
6. Motorcycle parking Spaces– one of every 40 spaces may be a motorcycle space (4 feet by 8 feet).

The project qualifies for four the six reductions, any of which could be a basis for reduction on its own:

- **Transit** – 401 Mile of Cars Way is directly across Wilson Avenue from the 24th Street Trolley Station (Blue Line);
- **Shared Parking** – ITT Tech, the main parking generator, is a mostly evening use; therefore, many parking spaces would be vacant during hours the County offices are open (7:00 a.m. to 6:00 p.m.)². However, this has not been independently verified;
- **Street Parking** – there are 27 parking spaces adjacent to the property on the west side of Hoover Avenue. Taking into account the required standard/compact parking space ratio, the property would be short 22 standard size spaces with the reduction affected by the new restaurant. These could be provided on the street.
- **Motorcycle** – Assuming an overall parking count of 744 spaces after the restaurant reduction, up to 18 spaces could be for motorcycles. This provides the bulk of the 22 needed.

These reductions are to remedy the shortage of required standard size parking spaces. It should be noted that the overall number of spaces (standard and compact) would still

¹ If the drive-through is not approved or the restaurant constructed, no additional parking is necessary.

² The County's lease assigns 425 parking spaces, which is the majority of spaces; therefore, ITT being a predominant nighttime user is an educated assumption. Otherwise, there would not be enough parking for both at the same time.

be 744, in excess of the 638 required. For reference, the restaurant will require 13 spaces of its own, which would result in an excess of 93.

Public Notice

A CUP normally requires that all property owners within 300 of the subject property be notified of the public hearing. In this case, staff also provided notice to all occupants within 300 of the subject property. Furthermore, a courtesy notice was provided to the three existing tenants in the building.

CEQA

The project is Categorically Exempt under the California Environmental Quality Act (CEQA) pursuant to Class 1 Section 15301 (Existing Facilities). Class 1 includes leasing of existing private structures involving negligible or no expansion of use beyond that existing at the time of the lead agency's (City) determination. Section 15301 makes reference to "Interior alterations involving such things as interior partitions, plumbing, and electrical conveyances". Given that this would be the extent of the construction proposed as part of the lease by the County, the proposal would be consistent with this exemption. The ability of existing roadways to accommodate the increase in traffic predicted to occur as a result of the use is also consistent with this exemption.

Conditions of Approval are included to require compliance with Building and Fire Department Codes. No comments were received from the Engineering Department, although there were comments from Engineering with regard to the companion CUP related to traffic. Typical conditions related to Police-related concerns (e.g. loitering) are also included.

Summary

The proposed County administrative office use and public contact facility is consistent with the Land Use Code with the approval of a Conditional Use Permit. Conditions are intended to assure that the business operates in harmony with existing uses in the area. Potential parking and traffic impacts are minimal and can be accommodated by the existing street network and parking facilities. The facility will contribute to the viability of the property, in that the remaining leasable area will be leased. The services offered by the County of San Diego will benefit local area residents in need of such services.

OPTIONS

1. Approve 2015-10 CUP subject to the conditions listed below, based on attached findings; or
2. Deny 2015-10 CUP based on findings to be determined by the Planning Commission; or
3. Continue the item in order to obtain additional information.

ATTACHMENTS

1. Recommended Findings for Approval
2. Recommended Conditions of Approval
3. Location Map
4. Notice of Exemption
5. Public Hearing Notice (Sent to 73 property owners and occupants)
6. Site Photos
7. Applicant's Plans (**Exhibit A**, Case File No. 2015-10 CUP **dated 4/29/2015**)



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Executive Director

RECOMMENDED FINDINGS FOR APPROVAL
OF THE CONDITIONAL USE PERMIT
2015-10 CUP – 401 Mile of Cars Way

1. That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, since community service uses are a conditionally-allowed use in the Multi-Use Commercial-Residential (MCR-2) zone.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, since the proposed use is consistent with at least one goal and three policies of the General Plan related to health and environmental justice (as analyzed in this report), and since community service uses are a conditionally-allowed use in the Westside Specific Plan area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, since no expansion of the existing building is proposed, and since the current street network is able to absorb additional vehicular traffic without resulting in an unsatisfactory level of service.
4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since no expansion of the building is proposed, and since enough parking is provided based on provisions and reductions outlined in the Land Use Code.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, since the proposed use will be compatible with other nearby businesses, including the McAllister Institute and the National City Adult School; and since the proposed use will be subject to conditions that require compliance with the National City Municipal Code.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.
7. That the proposed project qualifies for a reduction of 22 standard-size parking spaces, since the property is within a quarter-mile of a transit station; would share with predominantly nighttime residents in the same building; has 27 adjacent street parking spaces; and has opportunity for 18 motorcycle spaces in lieu of standard vehicle spaces.

RECOMMENDED CONDITIONS OF APPROVAL
2015-10 CUP – 401 Mile of Cars Way

General

1. This Conditional Use Permit authorizes a Health & Human Services and Child Support Services office to be located in 85,000 square feet of an existing office building located at 401 Mile of Cars Way. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2015-10 CUP dated 4/29/2015.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Land Use Code.
4. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of the permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate said permit.** The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.

Building

5. Plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Green, Plumbing, Mechanical, and Fire Codes.

Police

6. "No Loitering" signs shall be posted and maintained at highly visible areas around the entrances and exits to the building, including the parking areas located around the building.

Planning

7. A landscape and underground irrigation plan shall be submitted as part of the building permit process. Installation and/or continued maintenance of minimum landscaping items required by the Land Use Code shall be shown on the plan, including for the two properties on the east side of Hoover Avenue, which comprise the parking lot for the South Bay Corporate Center.

8. No additional community service uses or expansion of existing conditionally-allowed uses may occur without subsequent modification of this Conditional Use Permit.
9. Total peak parking demand shall not exceed 425 parking spaces at any one time.

401 MILE OF CARS WAY



Parcel ID	5623405400	Doc Type	1
Address	401 MILE OF CARS WAY	Doc Number	301873
Owner	WALTON/GREENLAW SOUTH BAY HOLDINGS VI L L C	Doc Date	052312
Owner Address	C/O GREENLAW PARTNERS L L C	Acreage	5.44
Legal Desc	PAR 1\		
Subdivision	PARCEL MAP NO 13353		
Assessor Value	\$10,812,000		

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey or zoning verification. 1 inch = 259 feet 5/28/2015



CITY OF NATIONAL CITY - DEVELOPMENT SERVICES DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: County Clerk
County of San Diego
P.O. Box 1750
1600 Pacific Highway, Room 260
San Diego, CA 92112

Project Title: 2015-10 CUP

Project Location: 401 Mile of Cars Way, National City, CA 91950

Contact Person: Martin Reeder **Telephone Number:** (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit for County of San Diego Health & Human Services and Child Support Services offices in an existing office building.

Applicant Name and Address:

County of San Diego – Real Estate Services Div.
c/o: Debbie Bailey
5560 Overland Ave., Suite 410; MS-0200,
San Diego, CA 92123

Telephone Number:

(858) 694-3068

Exempt Status:

☒ **Categorical Exemption. Class 11, Section 15301 (Existing Facilities)**

Reasons why project is exempt:

There is no possibility that the proposed use will have a significant impact on the environment since the project includes leasing of an existing private structure involving no expansion of use. In addition, the existing roadways can accommodate the increase in traffic predicted to occur as a result of the use.

Date:

MARTIN REEDER, AICP
Principal Planner



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

PUBLIC HEARING - CONDITIONAL USE PERMIT FOR
A COUNTY OF SAN DIEGO HEALTH & HUMAN SERVICES
AND CHILD SUPPORT SERVICES OFFICE
TO BE LOCATED AT 401 MILE OF CARS WAY.
CASE FILE NO: 2015-10 CUP
APN: 562-340-71

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, June 1, 2015**, in the City Council Chambers, 1243 National City Blvd., National City, California on a proposed request (County of San Diego).

The applicant proposes to lease approximately 85,000 square feet of office space on the 2nd and 3rd floor of the South Bay Corporate Center. The proposed use of the space is for administrative offices and public contact for the County's Health & Human Services and Child Support Services departments. Hours of operation would be 7 a.m. to 6 p.m. Monday to Friday.

Members of the public are invited to comment. Any person interested in this matter may appear at the above time and place and be heard. Written comments should be received by the Planning Department on or before 12 p.m., **June 1, 2015**. Planning Department staff may be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the public hearing entity conducting the hearing at, or prior to, the public hearing.

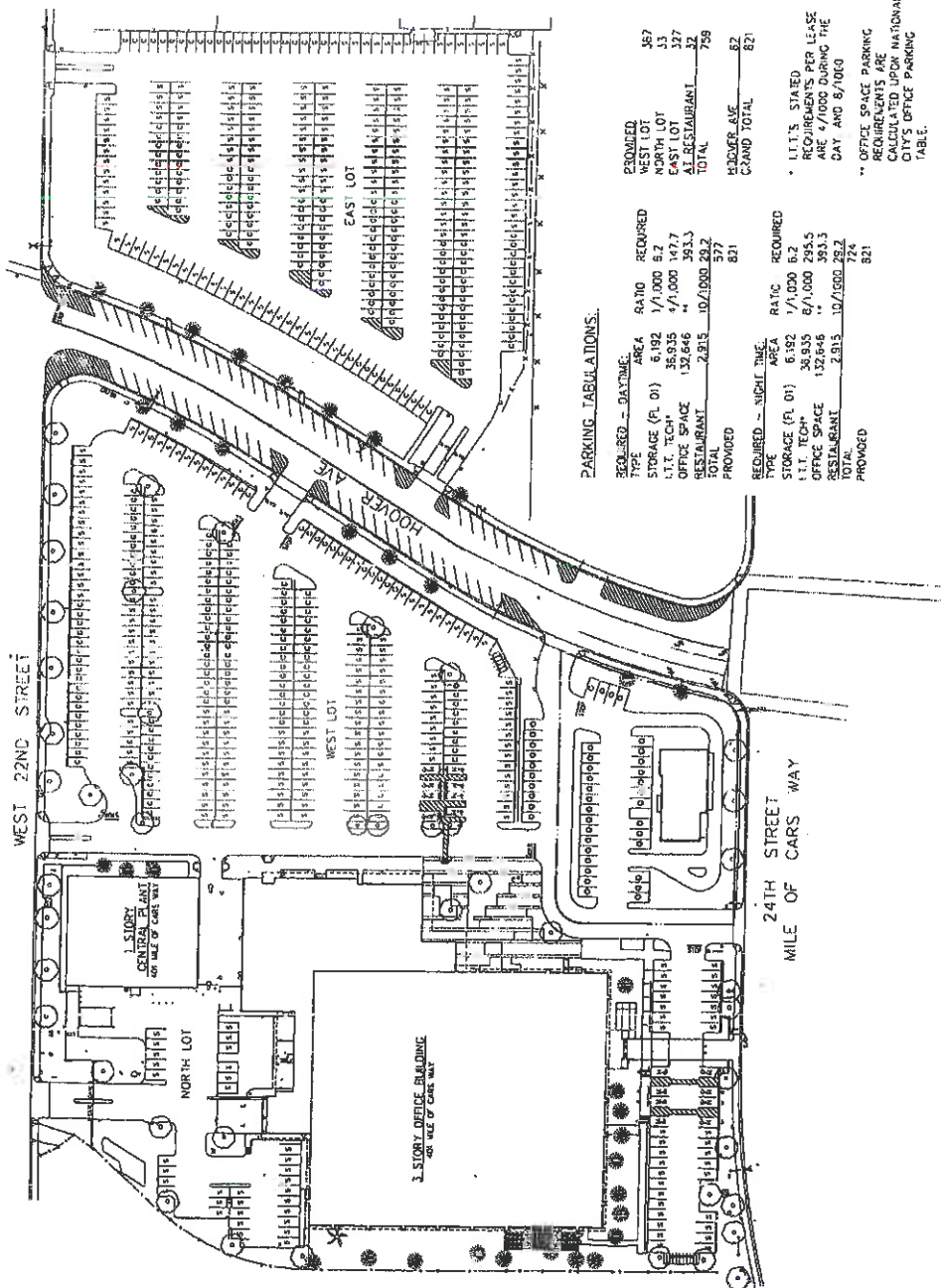
PLANNING DEPARTMENT

BRAD RAULSTON
Executive Director

2015-10 CUP – 401 Mile of Cars Way. – County Offices – Site Photos



SITE PLAN



PARKING TABULATIONS

REQUIRED - DAYTIME				
TYPE	AREA	RATIO	REQUIRED	
STORAGE (PL 01)	6,192	1/1,000	6.2	
L.T.T. TECH	35,935	4/1,000	147.7	
OFFICE SPACE	132,646	**	393.3	
RESTAURANT	2,315	10/1,000	23.2	
TOTAL			577	
PROMISED			821	

REQUIRED - NIGHT TIME				
TYPE	AREA	RATIO	REQUIRED	
STORAGE (PL 01)	6,192	1/1,000	6.2	
L.T.T. TECH	35,935	6/1,000	295.5	
OFFICE SPACE	132,646	**	393.3	
RESTAURANT	2,315	10/1,000	23.2	
TOTAL			724	
PROMISED			821	

PROMISED	
WEST LOT	387
NORTH LOT	13
EAST LOT	327
AT RESTAURANT	82
TOTAL	759

HOOPER AVE	82
GRAND TOTAL	821

* L.T.T.'S STATED REQUIREMENTS PER LEASE ARE 4/1000 DURING THE DAY AND 8/1000

** OFFICE SPACE PARKING REQUIREMENTS ARE CALCULATED UPON NATIONAL CITY'S OFFICE PARKING TABLE.



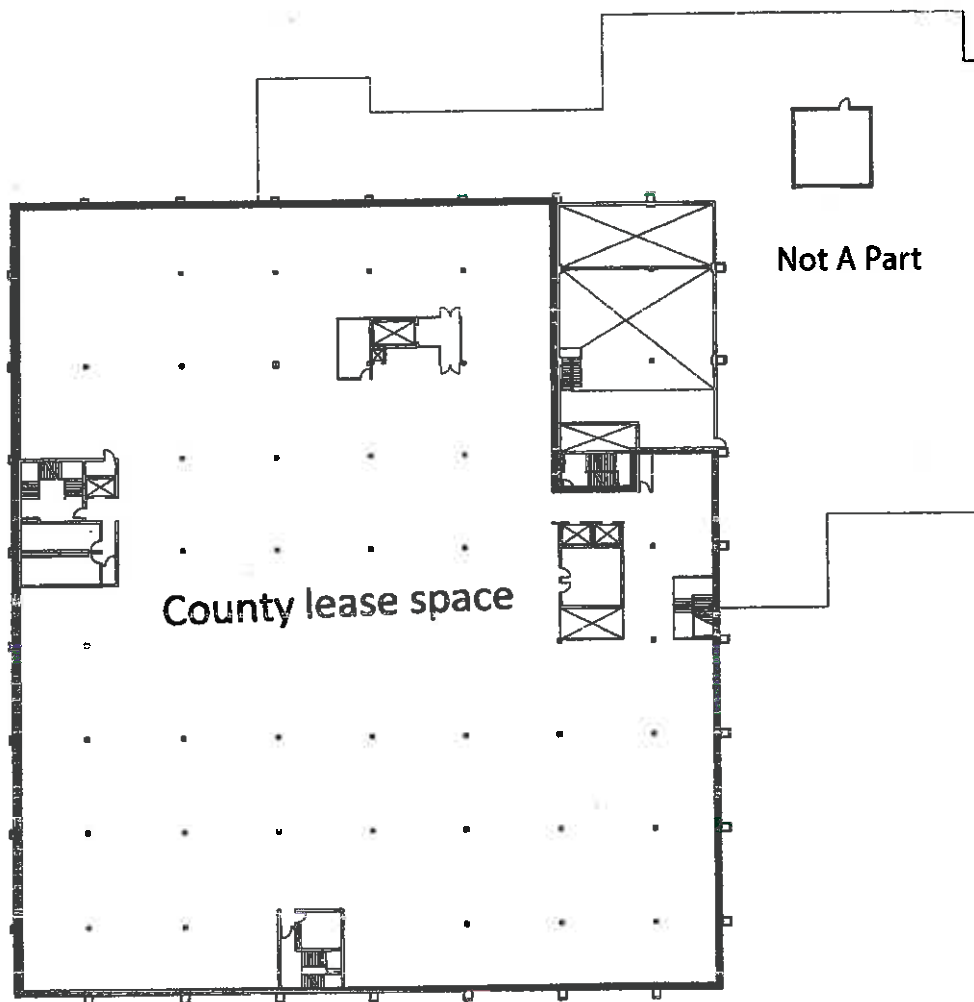
SOUTH BAY CORPORATE CENTER
401 MILE OF CARS WAY, NATIONAL CITY, CA

WARE MALCOMB

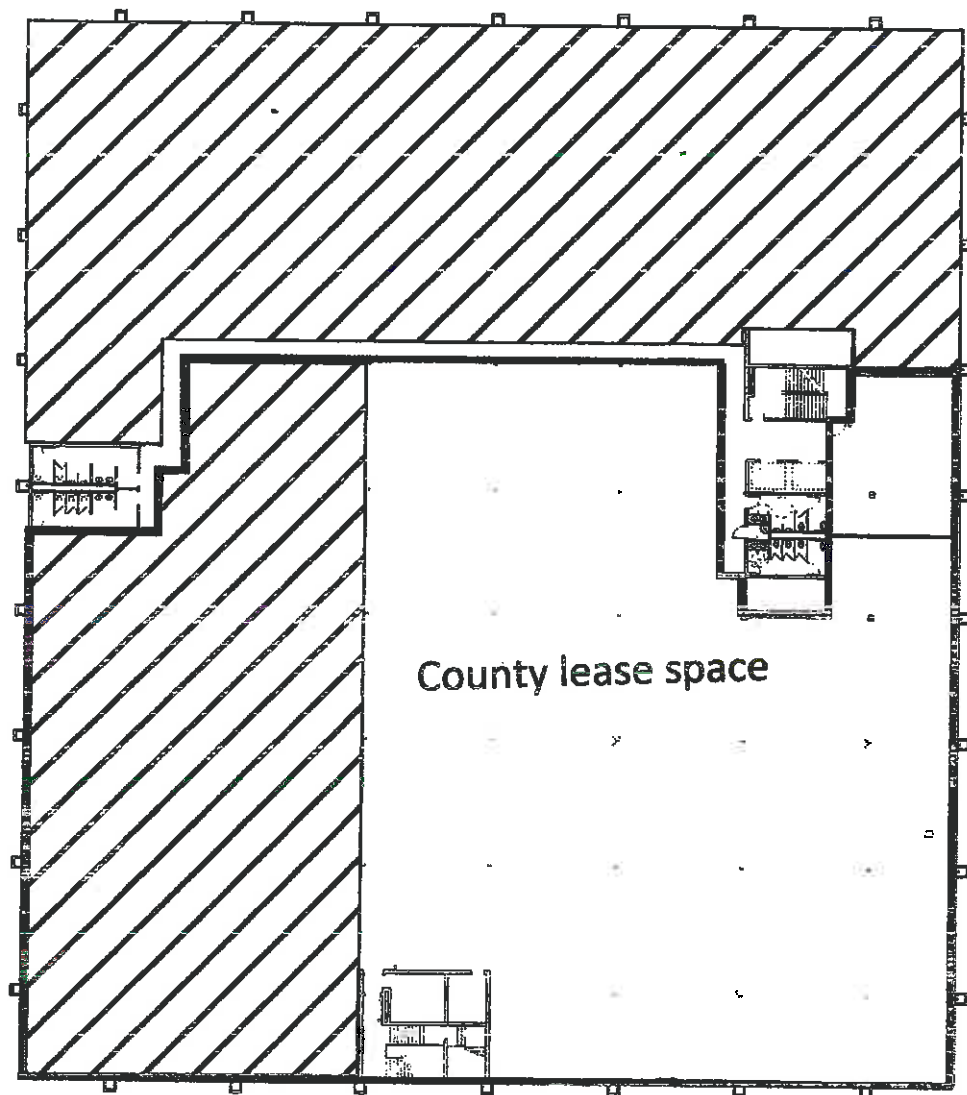
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SHEET
1

FLOOR PLAN – Second Floor



FLOOR PLAN – Third Floor



Health & Human Services Agency (HHSA)

- **In-Home Supportive Services (IHSS)**
 - Assist aged or disabled low-income individuals to receive the appropriate level of care so that they may remain safely in their own homes. The assistance provided prevents the premature placement of individuals into board and care facilities or nursing homes.
- **Public Authority**
 - An independent public agency that works closely with Aging and Independence Services to recruit, screen, and train in-home care workers who assist elderly and disabled low-income individuals to live high quality lives in their own homes.
- **Family Resource Center (FRC)**
 - Assist residents with the enrollment into:
 - health care programs by increasing the number of residents with health insurance,
 - nutrition programs to help eligible families and individuals buy food and improve their nutrition, and
 - temporary financial assistance programs to help families achieve self-sufficiency.
- **Office of Military and Veterans Affairs (OMVA)**
 - Assist military, veterans, their survivors, and dependents to obtain state and federal benefits, which may include VA disability claims, CalVet college fee waivers, VA health care applications and Outreach and Transition support.
- **Adult Protective Services (APS)**
 - Prevent and remedy abuse, neglect or exploitation of elder and dependent adults who are unable to care for themselves. Services include assistance and resources to help adults meet their own needs and may include referrals to health, shelter, or legal resources.

Child Support Services (CSS)

- Establish and enforce court orders for paternity, financial and medical support for children. Provide wrap around services through community based partnerships to promote family self-sufficiency.

County of San Diego - 401 Mile of Cars Way

Parking Allocation

	Space	Parking
County	85,000	425 (per lease)

Note: ITT has few classes during the day, so additional parking is available before 5pm

Average Daily Visits and Parking Needs

	Avg. Daily Total	Avg. Peak Daily #
Staff (all)	298	298 (net of absent, alternate transportation)
Visitors to CSS	25	5 (share of downtown office)
Visitors to Mil & Vets	60	20 (modeled after plan for Escondido site)
Visitors to IHSS & PA	96	15 (100% of 780 Bay Blvd)
Visitors to FRC	252	55 (Q-matic: 17% South & 51% Southeast)
Daily Visits (incl. staff)	731	393 Total Parking Need

4/28/2015

RESOLUTION NO. 2015-11

A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NATIONAL CITY, CALIFORNIA,
APPROVING A CONDITIONAL USE PERMIT FOR
A COUNTY OF SAN DIEGO HEALTH & HUMAN SERVICES AND CHILD SUPPORT
SERVICES OFFICE TO BE LOCATED AT 401 MILE OF CARS WAY.
CASE FILE NO. 2015-10 CUP
APN: 562-340-71

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for a County of San Diego Health & Human Services and Child Support Services office to be located at 401 Mile of Cars Way at a duly advertised public hearing held on June 1, 2015, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2015-10 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on June 1, 2015, support the following findings:

1. That the proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, since community service uses are a conditionally-allowed use in the Multi-Use Commercial-Residential (MCR-2) zone.
2. That the proposed use is consistent with the General Plan and any applicable specific plans, since the proposed use is consistent with at least one goal and three policies of the General Plan related to health and environmental justice (as analyzed in this report), and since community service uses are a conditionally-allowed use in the Westside Specific Plan area.
3. That the design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, since no expansion of the existing building is proposed, and since the current street network is able to absorb additional vehicular traffic without resulting in an unsatisfactory level of service.

4. That the site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, since no expansion of the building is proposed, and since enough parking is provided based on provisions and reductions outlined in the Land Use Code.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, since the proposed use will be compatible with other nearby businesses; and since the proposed use will be subject to conditions that require compliance with the National City Municipal Code.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, since staff has already determined that the proposed use is categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.
7. That the proposed project qualifies for a reduction of 22 standard-size parking spaces (only necessary if considered in tandem with a proposed fast-food restaurant on the same property that would remove 37 parking spaces), since the property is within a quarter-mile of a transit station; would share with predominantly nighttime residents in the same building; has 27 adjacent street parking spaces; and has opportunity for 18 motorcycle spaces in lieu of standard vehicle spaces.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes a Health & Human Services and Child Support Services office to be located in 85,000 square feet of an existing office building located at 401 Mile of Cars Way. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibit A, Case File No. 2015-10 CUP dated 4/29/2015.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Land Use Code.
4. Before this Conditional Use Permit shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of the permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate said permit.** The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide

information that conditions imposed by approval of the Conditional Use Permit are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Executive Director prior to recordation.

Building

5. Plans submitted for improvements in 2013 must comply with the 2010 edition of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes. If submitted in 2014, plans submitted for improvements must comply with the 2013 edition of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

Police

6. "No Loitering" signs shall be posted and maintained at highly visible areas around the entrances and exits to the building, including the parking areas located around the building.

Planning

7. A landscape and underground irrigation plan shall be submitted as part of the building permit process. Installation and/or continued maintenance of minimum landscaping items required by the Land Use Code shall be shown on the plan, including for the two properties on the east side of Hoover Avenue, which comprise the parking lot for the South Bay Corporate Center.
8. No additional community service uses or expansion of existing conditionally-allowed uses may occur without subsequent modification of this Conditional Use Permit.
9. Total peak parking demand shall not exceed 425 parking spaces at any one time.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of June 1, 2015, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION MEMORANDUM

Subject: Planning Commission Summer Recess
From: Martin Reeder, AICP – Principal Planner

Planning Commission Summer Recess

At its May 4, 2015 regular meeting, the Planning Commission directed staff to place the matter of a possible summer recess on the next agenda. The Planning Commission may take a summer recess from the regular Planning Commission schedule in order to mirror the City Council, who will be on a summer recess for the month of July. Given that City Council will be dark in July, no Planning Commission decisions made at the regularly scheduled meetings of June 18, 2015 or July 8, 2015 requiring Council notice or approval would be heard until August. Allowing for a recess would ensure that the Council and Commission agendas remain aligned and that there would be no significant impact to projects that are or may be in the pipeline. As of the writing of this report, there are only two active discretionary permits being processed. Per Article III, Section 1 of the Planning Commission Bylaws, "Any regular meeting may be dispensed with by a majority vote of the Planning Commission."